CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 8, 1951

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of 12 o'clock meridian, the Assembly of the 1951 Regular Session of the Legislature of California was called to order by Arthur A Ohnimus, Chief Clerk of the 1950 Regular (Budget) Session.

In conformity with the law, the following officers of the 1950 Regular (Budget) Session were also present: Geraldine B. Hadsell, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

PRAYER

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

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

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

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

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

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

CERTIFICATE FROM SECRETARY OF STATE

The Chief Clerk read the following certificate of duly elected Members of the Assembly of the 1951 Regular (General) Session of the Legislature of the State of California:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE, SACRAMENTO

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby *certify that the following is a complete list of those duly elected at the general election* held on the seventh day of November, A D. 1950, to represent the people of the State of California as Members of the Assembly at the 1951 Session of the Legislature of

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

Members of the Assembly-elect

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

Members of the Assembly-elect—Continued

Name	*District*	*County or counties comprising district*
G. Delbert Morris	Sixty-third	Los Angeles
Patrick D McGee	Sixty-fourth	Los Angeles
John W. Evans	Sixty-fifth	Los Angeles
Gordon R. Hahn	Sixty-sixth	Los Angeles
Clayton A. Dills	Sixty-seventh	Los Angeles
Vincent Thomas	Sixty-eighth	Los Angeles
Carley V. Porter	Sixty-ninth	Los Angeles
William S. Grant	Seventieth	Los Angeles
Herbert R. Klocksiem	Seventy-first	Los Angeles
Stantord C. Shaw	Seventy-second	San Bernardino
L. Stewart Hinckley	Seventy-third	San Bernardino
Earl W Stanley	Seventy-fourth	Orange
Sam L Collins	Seventy-fifth	Orange
John D. Babbage	Seventy-sixth	Riverside
George R. Butters	Seventy-seventh	Imperial
Frank Luckel	Seventy-eighth	San Diego
Kathryn T. Niehouse	Seventy-ninth	San Diego
Ralph R. Cloyed	Eightieth	San Diego

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this eighth day of January, A D. 1951.

(SEAL)

FRANK M. JORDAN, Secretary of State

ROLL CALL BY COUNTIES

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

MEMBERS SWORN IN

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

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the 1951 and 1952 Sessions of the Legislature of the State of California, according to the best of my ability.

Francis Dunn, Jr., Randal F. Dickey, Luther H. Abe Lincoln, Marvin Sherwin, William Byron Rumford, Thomas W. Caldecott, Francis C Lindsay, Arthur W Coats, Jr., Lloyd W. Lowrey, Robert L. Condon, Frank P. Belotti, Wallace D. Henderson, William W. Hansen, George R. Butters, H. W. Kelly, Harlan Hagen, Ernest C. Crowley, Lester Thomas Davis, William H. Rosenthal, Julian Beck, Everett G. Burkhalter, H Allen Smith, Edward E. Elliott, Thomas J. Doyle, Charles Edward Chapel, Albert I Stewart, Frank Lanterman, Ernest R Geddes, Thomas M. Erwin, William A. Munnell, Jonathan J. Hollibaugh, Montivel A. Burke, John L. E. Collier, Vernon Kilpatrick, Glenard P. Lipscomb, Charles J. Conrad, Laughlin E. Waters, Charles W. Lyon, Harold K. Levering, Lester A. McMillan, Augustus F. Hawkins, G. Delbert Morris, Patrick D. McGee, John W. Evans, Gordon R. Hahn, Clayton A. Dills, Vincent Thomas, Carley V. Porter, William S. Grant, Herbert R Klocksiem, George A. Clarke, Richard H. McCollister, James W. Silliman, Earl W. Stanley, Sam L. Collins, John D. Babbage, Gordon A.

Fleury, John E. Moss, Jr., Donald L. Grunsky, Stanford C. Shaw, L. Stewart Hinckley, Frank Luckel, Kathryn T. Niehouse, Ralph R. Cloyed, Bernard R. Brady, Thomas A. Maloney, Arthur H. Connolly, Jr., George D. Collins, Jr., William Clifton Berry, Charles W. Meyers, Robert I. McCarthy, Edward M. Gaffney, Howard Q. Parker, John J. McFall, Richard J. Dolwig, Stanley T. Tomlinson, Robert C. Kirkwood, Charles S. Gubser, Ralph M. Brown, and John B. Cooke.

ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1951 Regular (General) Session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 1

Resolved by the Assembly of the State of California, That the following named persons constitute the Officers of the Assembly for the 1951 Regular Session, with the per diem as fixed by statute or resolution:

Hon. Sam L. Collins ..... *Speaker*
Hon. Thomas A. Maloney ..... *Speaker pro Tempore*
Arthur A. Ohnimus ..... *Chief Clerk*
Geraldine B. Hadsell ..... *Minute Clerk*
Wilkie Ogg ..... *Sergeant-at-Arms*
Andrew J. Cecchettini ..... *Chief Assistant Sergeant-at-Arms*
Rev. Clarence A. Kircher ..... *Chaplain*

Resolution read.

Mr. Dickey moved the adoption of the resolution.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—79

NOES—None

Whereupon the Chief Clerk announced the vote of the Assembly, declared the above resolution adopted, and the following officers elected as the choice of the Assembly for the 1951 Regular (General) Session of the Legislature.

Hon. Sam L. Collins, Speaker; Hon. Thomas A. Maloney, Speaker pro Tempore; Arthur A. Ohnimus, Chief Clerk; Geraldine B. Hadsell, Minute Clerk; Wilkie Ogg, Sergeant-at-Arms; Andrew J. Cecchettini, Chief Assistant Sergeant-at-Arms; and Rev. Clarence A. Kircher, Chaplain.

APPOINTMENT OF COMMITTEES ON ESCORT

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

The Chief Clerk appointed Messrs. Sherwin, McCarthy, and Mrs. Niehouse as a Select Committee to escort Speaker pro Tempore-elect Hon. Thomas A. Maloney to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker-elect Hon. Sam L. Collins; Speaker pro Tempore-elect Hon. Thomas A. Maloney; Chief Clerk-elect Arthur A. Ohnimus; Minute Clerk-elect Geraldine B. Hadsell; Sergeant-at-Arms-elect Wilkie Ogg; Chief Assistant Sergeant-at-Arms-elect Andrew J. Cecchettini; and Chaplain-elect Rev. Clarence A. Kircher took and subscribed to the following oath administered by Hon. Frank M. Jordan, Secretary of State:

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

Speaker Presiding

At 12.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

LOYALTY OATH ADMINISTERED

Speaker Sam L. Collins then administered the loyalty oath to the Members of the Assembly, to which each member subscribed.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 2

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

Hon. Sam L. Collins ..... *Speaker*
Hon. Thomas A. Maloney ..... *Speaker pro Tempore*
Arthur A. Ohnimus ..... *Chief Clerk*
Geraldine B. Hadsell ..... *Minute Clerk*
Wilkie Ogg ..... *Sergeant-at-Arms*
Andrew J. Cecchettini ..... *Chief Assistant Sergeant-at-Arms*
Rev. Clarence A. Kircher ..... *Chaplain*

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs. Lyon, Kirkwood, and McCarthy as such Select Committee to wait upon the Senate.

By Mr. Maloney:

House Resolution No. 3

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 3, the Speaker announced the appointment of Messrs. Maloney, Evans, Sherwin, Beck, and Cooke as such Select Committee to wait upon the Governor.

By Mr. Hollibaugh:

House Resolution No. 4

Resolved by the Assembly of the State of California, That the Speaker appoint a Select Committee of Three to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 1 p.m., for the purpose of attending the inaugural ceremonies for Governor-elect Earl Warren and Lieutenant Governor-elect Goodwin J. Knight.

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 4, the Speaker announced the appointment of Messrs. Hollibaugh, Butters, and Hawkins as such Select Committee to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 1 p.m.

By Mr. Dickey:

House Resolution No. 5

Resolved by the Assembly of the State of California, That the Standing Rules of the 1950 Third Extraordinary Session be and the same are hereby adopted as the Temporary Rules for the 1951 Regular Session.

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

By Mr. Evans:

House Resolution No. 6

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

Request for Unanimous Consent

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

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—80.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on House Resolution No. 6

Mr. George D. Collins asked for, and was granted, unanimous consent that his name be placed upon the roll call on House Resolution No. 6, and that he be recorded as voting "Aye."

By Mr. Dickey:

House Resolution No. 7

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

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

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

Request for Unanimous Consent

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

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—80

NOES—None.

By Mr. Beck:

House Resolution No. 8

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in favor of Arthur A Ohnimus, Chief Clerk of the Assembly, and

the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office

Request for Unanimous Consent

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

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—80.

NOES—None.

By Mr. Berry:

House Resolution No. 9

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

By Mr. Collier:

House Resolution No. 10

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

Request for Unanimous Consent

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

Resolution read, and adopted.

By Mr. Crowley:

House Resolution No. 11

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

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17.60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr	Yuba City, Sutter County	58	--	--	58	116	5.80
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4 00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	Gordon A Fleury	Sacramento, Sacramento County	--	--	--	--	--	-----
9	John E Moss, Jr	Sacramento, Sacramento County	--	--	--	--	--	-----
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7 30
11	Howard Q Parker	Stockton, San Joaquin County	48	--	--	48	96	4 80
12	John J McFall	Manteca, San Joaquin County	48	10	--	58	116	5 80
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F. Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H. Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00
22	George D Collins, Jr.	San Francisco, San Francisco County	90	--	--	90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9.00
24	Charles W. Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	Charles S Gubser	Gilroy, Santa Clara County	128	28	--	156	312	15 60
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7.70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	Wallace D Henderson	Fresno, Fresno County	169	--	--	169	338	16 90
35	William W Hansen	Fresno, Fresno County	169	3	--	172	344	17 20
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T. Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
39	H W Kelly	Shafter, Kern County	278	--	6	272	544	27 20
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Charles Edward Chapel	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Albert I Stewart	Pasadena Los Angeles County	447	13	--	460	920	46 00
48	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Ernest R Geddes	Claremont, Los Angeles County	447	26	--	473	946	47.30
50	Thomas M Erwin	Puente, Los Angeles County	447	19	--	466	932	46 60
51	William A Munnell	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Hollibaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44.70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P. Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E. Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Charles W Lyon	Beverly Hills, Los Angeles County	447	81	--	455	910	45 50
60	Harold K. Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44.70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	Patrick D McGee	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R. Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Carley V. Porter	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S. Grant	Long Beach, Los Angeles County	447	22	--	469	938	46.90
71	Herbert R Klockslem	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Stanford C. Shaw	Ontario, San Bernardino County	508	--	23	485	970	48 50

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
73	L Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1,034	$51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L. Collins	Fullerton, Orange County	481	--	11	470	940	47.00
76	John D Babbage	Riverside, Riverside County	512	--	--	512	1,024	51 20
77	George R Butters	Brawley, Imperial County	661	--	14	647	1,294	64 70
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57.30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Ralph R Cloyed	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

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

Resolution read, and ordered on file.

By Mr. Doyle:

House Resolution No. 12

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

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

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

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

By Mr. Dickey:

House Resolution No. 13

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes to each Member of the Assembly, and one (1) complete set of the codes to the Chief Clerk of the Assembly.

Resolution read, and ordered referred to the Committee on Rules

By Mr. Dickey:

House Resolution No. 14

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 81 sets of the latest edition of the Larmac Index to California Laws, at _____ plus sales tax per set; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) copy of the Larmac Index to each Member of the Assembly, and one (1) copy to the Chief Clerk; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Recorder in a sum not to exceed _____ dollars in payment of 81 sets of the latest edition of the Larmac Index

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

By Mr Dickey:

House Resolution No. 15

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of state officers, members and officers of both houses of the Legislature, list of committees and rules of both houses and Joint Rules, together with indexes to the same, sessions of the California Legislature, record of legislation, the last primary and general election vote, and such other information as he may deem useful, to be printed and distributed pursuant to the statutory requirements, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in the sum not to exceed one thousand dollars ($1,000) to pay for such services, and the State Controller is authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and the State Treasurer is hereby ordered and directed to pay the same, and the Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above during the said constitutional recess, and to furnish vouchers to the State Controller for any other moneys expended by him pursuant to the terms of this resolution, and the State Controller is hereby directed to draw his warrant for the payment of such bills as may be incurred by the Chief Clerk in carrying out the purposes of this resolution.

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

COMMITTEE FROM THE SENATE

Senators Thompson, Miller, and Hoffman appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

ANNOUNCEMENT OF STANDING COMMITTEE APPOINTMENTS

Speaker Sam L. Collins announced the appointment of the following members to membership on the Committee on Rules:

Messrs. Dickey (Chairman), Doyle (Vice Chairman), Crowley, Dolwig, Dunn, Evans, Geddes, Hollibaugh, Lyon, McCollister, McMillan, Maloney, and Waters

Speaker Sam L. Collins announced the appointment of the following members to membership on the Committee on Elections and Reapportionment:

Messrs. Waters (Chairman), Butters (Vice Chairman), Berry, Burke, Burkhalter, Coats, Conrad, George D. Collins, Davis, Dickey, Dolwig, Hahn, Hawkins, Hinckley, Lyon, Stanley, Sherwin, and Tomlinson.

INITIATIVE MEASURES

By the Chief Clerk:

An initiative measure, relative to elections, prohibiting cross-filing, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

An initiative measure, relative to old age assistance, was received, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

A communication from John P. Spaenhower, contesting the election of Howard Q. Parker of the Eleventh Assembly District, was received, and ordered referred to the Committee on Elections and Reapportionment.

By the Chief Clerk:

A communication from J. H. Morris, William E Reynolds, and Jess A. Triscuit, contesting the election of Wallace Henderson of the Thirty-fourth Assembly District, was received, and ordered referred to the Committee on Elections and Reapportionment.

By the Chief Clerk:

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

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO, January 8, 1951

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

DEAR MR. OHNIMUS: I am transmitting herewith certain correspondence from Claudia Walker for your consideration.

Sincerely,

FRANK M. JORDAN, Secretary of State

Above transmitted correspondence ordered referred to the Committee on Judiciary.

REPORT OF SELECT COMMITTEE

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

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 16

Relative to the continuance of the Assembly Legislative Process Committee

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

1. The Assembly Legislative Process Committee created by House Resolution No 13 (1949 General Session) and continued as an interim committee (as provided by Section 9127 of the Government Code) by House Resolution No. 180 of the same session is continued as an Assembly committee with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee has a continuing existence hereafter during sessions and between sessions of the Legislature unless and until modified by Assembly action at a subsequent session.

3. The provisions of the Joint Rules of the Senate and Assembly (and of the Standing Rules of the Assembly), as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

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

4. The committee is specifically authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, during and between session, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex

5 The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Request for Unanimous Consent

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

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—80

NOES—None.

REPORTS OF SELECT COMMITTEES

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

The Select Committee appointed to wait upon the Senate, and invite the members to meet with the Assembly in Joint Convention, reported that it had performed its duty.

INTRODUCTIONS

At the request of Speaker Sam L. Collins, the newly-elected Members of the Assembly arose, announced their names and districts, and were officially introduced to all Members of the Assembly

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Brady and McCarthy as a Select Committee to escort the Honorable Edmund G. Brown, Attorney General of the State of California, to the rostrum.

ARRIVAL OF MEMBERS OF THE SENATE ANNOUNCED

Joseph F. Nolan, Sergeant-at-Arms of the Senate, appeared before the bar of the Assembly, and announced the presence in the Assembly Chamber of the Members of the Senate.

RECESS

At 1 p.m., on motion of Mr. Dickey, the Assembly recessed for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 8, 1951

At 1 p.m., the Senate and Assembly met in Joint Convention.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION OF THE ATTORNEY GENERAL

Speaker Sam L. Collins introduced the Hon. Edmund G. Brown, Attorney General of California, who briefly addressed the members in Joint Convention.

INTRODUCTION OF PRESIDENT PRO TEMPORE OF THE SENATE

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

SENATE ROLL CALL

Hon Harold J. Powers, President pro Tempore of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, R. R. Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Jespersen, Ed. C. Johnson, Harold T. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybret, and Williams—40.

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

ASSEMBLY ROLL CALL

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

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hickley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—80.

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

REGULAR ORDER OF BUSINESS

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

Of the Constitution (Article V);

Sec. 4.5. The Legislature may regulate by law the manner of making returns of elections for Governor and Lieutenant Governor.

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

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

ANNOUNCEMENT

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

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon. Harold J. Powers, President pro Tempore of the Senate, announced the appointment of Senators Tenney, O'Gara, and McCarthy as the Senate Committee to escort Their Excellencies, Hon. Earl Warren, Governor-elect of the State of California, and Hon. Goodwin J. Knight, Lieutenant Governor-elect of the State of California, to the bar of the Assembly.

Hon. Sam L. Collins, Speaker of the Assembly, announced the appointment of Messrs. Waters, Geddes, and Gaffney as the Assembly Committee to escort Their Excellencies, Hon. Earl Warren, Governor-elect of the State of California, and Hon. Goodwin J. Knight, Lieutenant Governor-elect of the State of California, to the bar of the Assembly.

ANNOUNCEMENT

Speaker Sam L. Collins announced a breakfast meeting, and Caucus, of Republican Members of the Assembly at 7.30 a.m., tomorrow morning, Tuesday, January 9th, at the Hotel Sacramento, and invited Republican Members of the Senate to attend.

REPORT OF JOINT COMMITTEE ON ESCORT

The Joint Committee on Escort, appointed to wait upon the Governor-elect and the Lieutenant Governor-elect, and escort them to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Earl Warren, Governor-elect of the State of California, and His Excellency, Hon. Goodwin J. Knight, Lieutenant Governor-elect of the State of California.

OATH OF OFFICE ADMINISTERED TO GOVERNOR

Upon arriving at the bar of the Assembly, Governor-elect Hon. Earl Warren took and subscribed to the following oath, administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court of California:

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

PRESENTATION OF THE GOVERNOR

Hon. Harold J. Powers, President pro Tempore of the Senate, then presented Governor Warren to the Joint Convention.

ADDRESS BY THE GOVERNOR

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

MESSAGE OF GOVERNOR EARL WARREN

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

Today we start a new administration and a new century of statehood.

The conditions which face us are not what we had hoped they would be. I am sure that as we celebrated our centennial, all of us were looking forward with the keenest anticipation to the opportunity of devoting our time and energy to the peaceful development of our State.

But that pleasant approach to our duties has been denied us. We must take conditions as we find them.

Those conditions make an ominous picture, and compel us to meet in a solemn mood under the shadow not just of a possible but a probable third world war.

Eight years ago, when I addressed you at the start of my first term, our Nation was in one of the darkest hours of World War II. Our thinking throughout the Session of 1943 was cast in a serious mold, and the legislation it developed was geared to enabling the State of California and its people to make an outstanding contribution to victory and peace.

Four years later, when I again took the oath of office, we met in an atmosphere of hope. The military victory had been achieved. Our fighting men were returning home. The organization of the United Nations, representing the aspirations of the peace-loving peoples of the world, had been established. We were able, in such an atmosphere, to give our full attention to measures necessary for the continued progress of California and the integration of millions of new citizens.

I recall how concerned I was eight years ago, and four years ago, about our duty in keeping our State abreast of the needs of the people. Today I must say to you that I have never been more concerned—I have never had a deeper sense of responsibility for my obligations—I have never approached my job with greater seriousness than I do at this moment. I have never felt more keenly the need for complete cooperation between the Executive and Legislative Branches of our State Government. I have never been more eager to set aside every personal and

private consideration in order to attend to what must be done to safeguard our people, and to make possible a wholesome and rewarding life experience for them under all circumstances.

If World War III comes, it will be the war that was envisioned and threatened by the Communist conspiracy many years ago, and which has only awaited the ability of that conspiracy to strike effectively. The zero hour may be rapidly approaching. Already, a third of the people of the world are behind the Iron Curtain. Another third do not know from the beginning of any day until its end, when they will be subjected to aggression on the part of Russia or her satellites like that suffered by Korea.

We can take little comfort from the fact that we are not on the periphery of the Iron Curtain, or that great oceans physically set our continent apart. We can take little comfort from the fact that war has not been formally declared against us. Already more than 50,000 Americans have been killed or wounded, or are missing in action, in Korea.

In any appraisal of the present global situation, it must be borne in mind that World War II was started with a slow fuse. The fuse was lighted by the Fascists on September 1, 1939, and burned until June 15, 1940, when the so-called "phony" war ended in the frightful explosion of the blitzkrieg.

It may be that another such time fuse is burning at this moment. How much longer or shorter it will be cannot be predicted, but we can be sure of this—that if and when World War III explodes, it will exceed in violence and destruction anything that has occurred in the history of mankind. No human being on the face of this earth will be safe from its repercussions. Certainly no one in America will be safe, because, as the sole remaining force capable of preventing this world involvement, we are the main object of the wrath of Communism.

I do not predict World War III. I hope and pray it will never come. I believe that if we marshal our full military and spiritual force; if we dedicate our Nation to the well-being of the human race; if we demonstrate our willingness to make individual as well as collective sacrifices; if we work together as a united people—our Nation will be so strong and will be able to give such leadership to the remainder of the friendly world that even power-mad, hate-consumed Totalitarians will have the caution not to precipitate the awful event.

These aims must be the goal of every American at this critical hour. The necessities of the situation are great—far greater than they appear on the surface. Only Divine guidance can supply the strength and the vision for those of us who have been elected to act for the people. Human capabilities will not suffice.

These are the considerations uppermost in my mind today as we start this new administration. I speak of them, not as a matter of preachment to you, but as a matter of self-dedication for me.

Civil Defense

Throughout the session, I want to exchange views with you on the needs of our State. Today, in accordance with the mandate of our Constitution, I desire to express myself concerning some of the matters that appear to me to be of paramount importance.

First and foremost is our preparation for civil defense. If the lives of the people are not protected, and if the cities they have been building

for a hundred years are not preserved from fire and brimstone, all our other efforts will be of very little consequence.

I am aware that there are those who still believe "it can't happen here." I know that others hold civil defense preparations to be unnecessary until an overt act against our Country is committed. However, you and I have already acted upon the warning of the National Government —including its military establishment—that any future war against America will start with a bolt out of the blue; that the attack will be directed against civilians and our war production centers; and that it will be of such intensity as to make the blitzkrieg seem a sham battle by comparison.

We have such production centers in California. They are among the most vital in America, and they will be greatly expanded in the months to come. They are prime targets, and we are the farthest western continental outpost of the Nation. In such circumstances, ordinary prudence demands that we make civil defense our major objective—today, tomorrow, and until the "all clear" signal comes; and with it the opportunity to concentrate once more upon the pursuits of peaceful men.

At the special session last September, you created the Office of Civil Defense. As its director, I appointed Major General Walter M. Robertson, U. S Army, Retired—a brilliant fighting man of World War II and a distinguished executive. He has recruited an administrative staff in accordance with the plan of organization developed by our Civil Defense Planning Board, and with the splendid cooperation of Lieutenant General Albert C. Wedemeyer, Commander of the Sixth Army.

California's program is developing. It is abreast of the Federal Civil Defense directives in all respects, and in advance of them in some. Local government is cooperating. We can and will continue to build upon this foundation at least as speedily as the National Government may direct.

We do not know what proportions the program may assume, but every level of government will have a responsibility. This includes financial responsibility. Congress last week passed, and the President signed, a bill establishing the national policy for civil defense. This legislation authorized a three billion dollar program, its cost to be borne by Federal, State, and local Government Congress has yet to appropriate the federal share, and to determine the rules under which it will be administered in the states It is estimated it will be necessary for the State of California and its subdivisions to contribute an aggregate of $140,000,000 to $150,000,000 to the program. The proportion in which this burden must be shared by the State and local Government will have to be determined by the Legislature. As far as the operating expenses of our civil defense program as presently conceived are concerned, we believe it will be possible to finance these within current revenues.

At all events, we should condition ourselves here and now to the necessity of doing on a cooperative basis promptly and without equivocation everything our Federal Government advises us is essential for the protection of our people. Halfway measures will not suffice. Unless our program is made fully effective, it will be worse than useless, because a mere gesture would only mislead our people into a false sense of security

Every department of State Government must help, and every employee of the State must consider himself a part of the civil defense establishment. They have already qualified by taking the oath of allegiance recommended by the President of the United States and required by you at the special session last September. They have given every indication of their willingness to be helpful, and I have no doubt that they will all respond loyally and enthusiastically to any call to duty.

We are also working with city and county governments on a cooperative basis and in a manner that indicates that an integrated defense program can be developed within the framework and in accordance with our traditional relationships between State and local Governments.

Highway Patrol Reserve

As an integral part of the civil defense program, it will be necessary to establish volunteer reserve components for our fire, police and other services. These will give all Californians the opportunity to participate personally in the defense of their State. It will give sinews to the program.

These preparations will necessarily include an expansion of the California State Highway Patrol, which will have the tremendous responsibility of keeping traffic moving on our highways in any emergency In part, this expansion can be accomplished by the establishment of a Highway Patrol Reserve. The Commissioner of the Patrol advises me that such a reserve would be invaluable in coping with the severe emergencies which must be anticipated in our calculations. It may also be of great assistance to him in meeting the problem of withdrawals from the ranks of the Highway Patrol for duty in the armed services. You considered such a measure at the special session in September. I recommend its enactment at this time.

Rainy Day Fund

At the special session, you authorized until the end of this fiscal year, the use of the $75,000,000 "Rainy Day" Fund for disaster relief—when the Legislature is not in session—upon order of the Governor with the approval of the State Disaster Council, the Controller and the Director of Finance Because of the increasing and continuing danger of disaster, I recommend that the provisions of this law be extended from June 30, 1951, to June 30, 1952 In case of disaster it would indeed be a Rainy Day Fund.

Veterans Benefits

I would like to have our men fighting in Korea or awaiting other assignment to know that we are serious about civil defense and that, as a State, we are willing if necessary to make the same sacrifices we are asking of them I would like them to know, also, that we are thinking already of the day they will return to us It is not too early to recognize their service, and to provide at this session of our Legislature that they and their dependents shall be made eligible for all the state benefits that have been provided for their comrades of World War II

In addition to the statutory amendments which this suggestion involves, I recommend that you authorize the submission to the people, when present funds have been committed, of a new bond issue for financing veterans' farm and home purchase loans. These bonds, as you know,

are entirely self-liquidating. They do not represent a financial burden upon the State, yet they ease the burden on thousands of veterans in the purchase of their own homes.

Child Care Centers

Many of our men-in-arms left behind them wives and small children with the necessity of the wives seeking employment. Unless these wives have a place where their children can receive care and protection during working hours, the opportunity to supplement their government allotments is denied them. We are told by the government that at least six million more people must be brought into the work force of our Country during the coming months Many of them must be women. Thus there is both personal and national economic necessity for continuing our child care centers, which originated as a federal program during World War II and have been subsidized since 1946 by the State. These centers are also socially desirable in the present circumstances because neglected children of working mothers are likely to become community problems. I therefore recommend that legislation continuing child care centers be enacted, and that this be considered as an urgency matter because the present authorization expires on February 15.

Labor Relations

Inherent in any defense production program is the effective utilization of civilian manpower. To accomplish this, the cooperation and mutual good-will of business and industrial management, labor and agriculture is extremely important. I have evidence, based on conferences with these groups and on reports of the Departments of Employment and Industrial Relations, that a highly cooperative spirit now exists. If that spirit is fostered, it can contribute magnificently to the defense effort of California.

Throughout World War II, with my hearty approval, you followed the policy of not enacting legislation that would irritate labor-management relations. In consequence, California was comparatively free from economic dislocations from that cause, and its loss of man-days was far below the national average. If your legislative policy paid dividends then, it will pay dividends now. I commend it to you again.

Political and Economic Equality

The population of our State represents every ancestral heritage on earth. Each contributes to the economic and cultural life of California. None should be subjected to differences of treatment—either thoughtless or deliberate—that might diminish its ability to make the fullest contribution of which it is capable. I have previously called your attention to the desirability of continuous, objective reporting of any instances of racial discrimination that may occur within our borders. This is a proper job for State Government, and public harmony will be promoted if it is undertaken. It is a job that should be performed by a commission of fair-minded, representative citizens. I am firmly of the opinion that enlightenment on the subject will enrich that spirit of tolerance among groups which, throughout the life of our State, has been one of California's richest traditions and greatest assets. I recommend that a Commission on Political and Economic Equality be created at this session of the Legislature.

Workmen's Compensation—Unemployment Insurance

The sense of security that enables men and women who work for wages to do their best, will also be enhanced if they know that adequate provision has been made for them under the workmen's compensation and unemployment insurance programs. I urge you to examine these systems to determine whether they are fully serving the humanitarian purposes for which they were established.

Agricultural Labor

In the field of labor relations and the well-being of those who toil, there are some special situations that merit your attention. One of these has to do with the status of seasonal agricultural workers, without whose help it would be impossible to produce the tremendous quantities of foods and fibres which the Nation needs from California.

Because of the numbers involved and because so many of them wind up the harvest season there, the problem of these workers has been particularly acute in the San Joaquin Valley. Their situation has put our State in a bad light throughout the Nation. Both the conditions and the publicity can be changed for the better—not by drastic action but by working at the problem and making progress along sound lines.

With this in view, and at the suggestion of the Central Valley Empire Association and the San Joaquin Valley Supervisors Association, I appointed a committee last spring to study the problem. In the interests of time, the committee particularized its survey in the San Joaquin Valley, but its conclusions, of course, relate to the problem statewide.

The committee represented employer and employee groups, education, social welfare, and the general public. Its report, which was submitted on December 15th, was unanimous in its findings, and I commend it to your consideration. It points the way to sensible and needed changes in the laws governing the operations of labor contractors and the inspection of farm labor housing. It deals with the welfare, health, and educational aspects of the problem. I am sure you will be able to use it as the basis for correcting many of the undesirable conditions. A satisfactory remedying of these conditions might also result in increasing the availability of an efficient farm labor force.

I agree with many of the committee's recommendations, but I would go farther in the matter of unemployment insurance. I believe that we should include in our State Unemployment Insurance System now at least those workers who were covered by social security legislation passed by the Congress last year—without waiting for federal action on the whole problem.

The matter of finding enough workers for our harvests has already given indications of developing into a major manpower problem. It is apparent that farmers will be hard put to find replacements for their workers leaving for war industry and the armed forces, and to handle the increasing crops. It may well be that assistance such as that given during World War II by the Farm Production Council will be needed, and I suggest that you give the matter your earnest attention.

Water

Both farmers and the public generally have been troubled in recent weeks by another very serious problem For those in the South, it has been

a deficiency of water. In the area north of Tehachapi, floods have struck and caused great damage.

The floods in Northern California emphasize the need of completing at the earliest possible date all the flood-control projects that Congress has previously authorized to the United States Army Corps of Engineers, and the multiple-purpose projects of that agency and the United States Bureau of Reclamation. I have worked on this problem. So has the State Water Resources Board. I urge that you also exercise your influence on behalf of the speedy completion of these projects. Meanwhile I suggest that $2,000,000 be made available for assisting local jurisdictions, and as it may be needed, in repairing flood damage. You have approved this as state policy in the past under similar circumstances.

In Southern California, the prolonged drought emphasizes the need for a solution of our controversy with our neighboring State of Arizona involving the waters of the Colorado River. If we could have a decision of the Supreme Court of the United States confirming the amount of water each state is entitled to, both could plan for the future and determine how their additional needs for water might be filled.

Rain-making

In desperate efforts to obtain additional water for the millions who reside in Southern California, many communities and private interests have endeavored to produce rain artificially by "seeding" the rain clouds. The possibilities of both good and evil are inherent in these efforts Our State Water Resources Board is of the opinion that unless the process is carefully understood, great injury can be done. It therefore recommends that all who engage in the business be placed under a licensing and reporting system. I recommend such action to you.

Smog

An associated problem has to do with the air pollution condition commonly known as "Smog," particularly in the Los Angeles metropolitan area. The control of these conditions is by state law vested in county and regional air pollution control districts The Los Angeles Air Pollution Control District administers the program in Los Angeles County. Without interfering with this arrangement, I believe there is a responsibility upon the State to determine what effect smog has upon the health of the millions who reside there and the others who come there from other parts of the State and Nation. Recently there have been dire forebodings of the effect smog has upon the health of those who are subjected to it, and many lurid statements have appeared in the news. The fact is that very little is known about it because there has been no comprehensive study. On the other hand there have been detached studies made by universities and public health departments. In the absence of a complete study by the Federal Government, I believe our State is in a better position to correlate, supplement, and evaluate these endeavors than any other agency; and, inasmuch as it bears directly upon the health of so many millions of our people, I believe the State has a responsibility to do something about it I therefore recommend that an adequate appropriation be made to the State Department of Public Health to determine the effect of smog upon the health of the people.

Social Welfare

Although our major attention at this session will have a direct relationship to the world crisis, we must not lose sight of the fact that a society can go forward, but it is impossible for it to come to a full stop; the only alternative to progress is retrogression We must continue to make progress in California. If, in this emergency, the states of the Union generally were to abandon their plans for the improvement of life in America, they would only aid and abet the purpose of the Communists to supplant their way for ours With such unwitting help, they could seriously weaken us without ever having fired a shot

I ask you, therefore, to do whatever is necessary to keep our laws in tune with progress.

Aid to Permanently Disabled

In the field of social welfare, I recommend specifically that you create the category of Aid to the Permanently and Totally Disabled which was included in H. R. 6000 by Congress last year; an action you deferred in September in order to take more time to consider it. This is a particularly deserving group and could well have been the first category of public aid to be established. They should no longer be slighted.

Uniform Support of Dependents Law

I recommend, as I did at the Budget Session last March, the enactment of a Uniform Support of Dependents Law, which is needed to enforce the support of dependents by defaulting husbands and fathers who cross state lines in an attempt to evade their responsibilities. I am sure that none of you has the slightest sympathy for such recreant persons, and I believe in the proposed legislation the questions asked by some of your members last year have been disposed of satisfactorily.

Care of the Senile

I recommend that we modernize and humanize our program for the care of the senile. These aged people, when they are not mentally ill, are the responsibility of the counties. When they are mentally ill, the State has the responsibility But because often it is difficult to determine the border line between senility and mental illness, and because the county hospitals have been crowded beyond capacity, many of them have been sent to state hospitals when they were not mentally ill and when they would have been much happier and better off near their homes. The conference held at Sacramento on this problem last September came to the conclusion that "additional and more appropriate public facilities" should be constructed and operated by the counties, with the cost to be shared by the State. I believe the State should accept that conclusion, and I recommend that you make construction funds available on a matching basis. Old age assistance, payments which can be made to persons confined to medical institutions but not to those declared to be mentally ill, will help the counties to meet operating costs. This can be both a humanitarian and an economic program.

Mentally Ill in County Hospitals

In 1949, you enacted a measure permitting the commitment of acute mentally ill persons to county psychopathic hospitals for 90-day periods. There are many cases of mental disorder that could be cleared up within

this space of time. Some relief from the pressure on state hospital facilities would result. To encourage the counties to utilize this provision of the law, I recommend a subsidy plan similar to the tuberculosis subsidy

Alcoholic Clinics

California has the unenviable distinction of a high rate of chronic alcoholism. During the past two years, your interim committees have been studying a proposal to establish a research center with out-patient clinical facilities in Northern California, and another in Southern California, each involving a capital expenditure of $2,200,000. I recommend your favorable action on this proposal at the present session.

Health Insurance

As you know, I have been interested for years in a System of Prepaid Medical Care that would make all the benefits of modern medicine accessible to people of modest incomes. At each session of the Legislature, I have sponsored a bill to accomplish this result. I am still of the opinion that this is one of the major problems of American life, and that a way must be found to solve it.

Although the nature of this session is such that I believe it would not be purposeful for me to resubmit the legislation I sponsored in former years, I believe the Legislature should give its attention to the problem. If the medical profession, the insurance industry, and other interested groups will give it their cooperative efforts, I am convinced that a substantial contribution can be made to the cause at this time.

Education

Regardless of defense or war conditions, our public school system must be the object of our concern. It is one of the cornerstones of our society. The schools have had many problems since the period preceding World War II when the migration of millions of Americans to California started. The tide has never stopped, and there is no reason to expect it to subside now.

New communities are springing up overnight, and established communities are growing phenomenally. The result has been an unprecedented increase in public school enrollment. Some school boards can have no conception at the end of one year what their school population will be the next year. State support funds to the schools are now apportioned on the basis of the previous year's attendance. This is a handicap to school administrators in preparing their budgets, and works a particular financial hardship on schools in war production centers where enrollment goes up by leaps and bounds in a single year. The apportionment formula should include the factor of current growth, and I recommend legislation to this effect. The cost for the current year would be between $10,000,000 and $12,000,000.

I also recommend an increase in the state subsidy for bus transportation to assist rural and poorer districts and to encourage the consolidation of districts wherever this can result in a saving of money and a raising of educational standards.

Youth

In this period of stress, when families are being separated by war and war industry, and when thousands of parents will be working long hours and perhaps all parents will be preoccupied by war conditions, it

becomes more than ever incumbent upon us to give careful attention to our programs for youth and recreation. We must enable our children to lead as nearly a normal life as possible in a world that has been thrown out of kilter by our generation.

Crime

We must not permit them, through neglect and indifference, to be subjected to an environment that will encourage delinquency and crime.

In the past few months our Country has been treated to a sordid story of organized crime that has been a stench in the nostrils of law-abiding citizens. Our own State has received its share of the notoriety. I believe there would have been much more to report if it had not been for our own Commission on Organized Crime, whose findings were in the main verified by the testimony before the United States Senate Committee. It is my belief that because of all this publicity, there will be a reshuffling of criminal elements and possibly migration to those parts of the Country where there is any apparent let-down in public vigilance. There should be no such let-down in California. I therefore recommend that a new Commission on Organized Crime to be set up under existing law be financed for one year.

I do not believe we should have a permanent commission of this character, nor do I seek any law enforcement powers, which are vested in the local law enforcement officers and the Attorney General as the chief law enforcement officer of the State. I do believe, however, that a citizens' appraisal of crime conditions in the State could be a wholesome thing and could be helpful to the enforcement officials in informing the public of some of the difficult conditions they face. It is in that spirit that I suggest another Crime Commission for this limited period.

One way to discourage organized crime is to take the profit out of it, and I suggest that our State Income Tax Laws be amended to accomplish this result. Both State and Federal Income Tax Laws were written primarily to apply to honest taxpayers. Little consideration was given to the taxation of professional criminals. Provision was made for the deduction of legitimate expenses of doing business, but there can be no legitimate expenses of criminal business. I therefore suggest that our Income Tax Law be amended to prohibit any deduction in a criminal business.

The efficacy of this suggestion would be greatly enhanced if the Federal Government were also to deny deductions to illegal enterprises. You will recall that after California outlawed slot machines the government prohibited their movement in interstate commerce. The thieving institution of the one-armed bandit is on the way out, and another prop of organized crime is lost to the underworld. It is very likely that the government will take cognizance of any action we take to amend our Income Tax Laws for the same purpose. It could be a body blow to organized crime.

Our Franchise Tax Board is hampered at the present time by the lack of financial provision for an intelligence agency such as the Intelligence Unit of the United States Bureau of Internal Revenue. The failure to collect just taxes from racketeers and professional criminals is a tremendous stimulus to their activities. As an approach to the problem, I

recommend an appropriation for the investigation and prosecution of fraud cases by the Franchise Tax Board.

Governmental Reorganization

The requirements of the present emergency demand that now more than ever before we devote our national resources of manpower, material and wealth to the purposes of defense and security. Just as our citizens will be called upon to make sacrifices and to pay increasingly heavy federal taxes to support this great national effort, so it is incumbent upon us who have governmental responsibilities to analyze our governmental operations for the purpose of eliminating overlapping and achieving a maximum of efficiency with a minimum of manpower and expense to the taxpayers. Any reduction of manpower requirements or curtailment of our state expenditures will enable our taxpayers better to support the heavy demands of the Federal Government for the national defense. Such an undertaking surely represents one of our primary obligations at this time.

It is not an easy task, but in times of crisis and great danger, prudent men put their house in order. I am convinced that we should face the problem at this session of the Legislature and make effective provision for that substantial reorganization of our State Government and improvement of its administrative operations which the requirements of the national emergency make necessary for government at all levels—federal, state, and local.

I therefore recommend the establishment of a Commission on Reorganization of the State Government, such commission to include members of the Legislative and Executive Branches, and private citizens. The scope of the commission should be sufficiently broad, and the funds at its disposal should be sufficient to permit a thoroughgoing, comprehensive result.

Tax Commission

Akin to this problem is the tax problem. Through the years, many proposals have been made for a study of the tax structure of our State. There has never been a time when taxes loomed so large in the economic life of our State, or imposed a heavier financial burden on the taxpayers. New and higher federal taxes have been levied, and still higher rates are under consideration. Here again the requirements of national defense and security make it imperative that we re-examine our state and local tax structures in order to be sure they represent the best possible, the soundest, and the most equitable system for the needs of both State and local Government. It is high time that we consolidate and supplement the findings of the legislative committees that have worked on the subject.

This job should all be done at one time, because all taxes come out of the same pocket. The tax dollar is now divided between state and local governments, but nobody knows if the division is fair, or whether the different classes of taxpayers are shouldering a fair share of the financial burden. I therefore recommend the establishment of a State Tax Commission composed of legislators, state and local administrators, and taxpayers.

There are, among those who have studied the problem of governmental reorganization and taxation, those who believe that the two are so

inseparably connected that they should both be studied by the same commission. If, after consideration of the matter, the Legislature is of the opinion that this should be the procedure, I would gladly join in this approach. Either way, we will be attacking two aspects of a problem that is of major importance in this time of national emergency.

Planning

During World War II, you created the Reconstruction and Reemployment Commission for the specific purpose of preparing California to adjust its economy to postwar conditions. In the process, the State Planning Commission was absorbed, and when the Reconstruction and Reemployment Commission was terminated in 1947, we became one of the few states of the Union without a planning agency.

California is too big a State, too important a State, to allow itself to drift in this fashion. We cannot afford to close our minds to the problems of the future. I therefore recommend and offer my cooperation in the establishment of a State Planning Agency. Other states are using this means to strengthen their economy. Our planning agency should be put to work as soon as possible.

This and the Commission on Political and Economic Equality are the only permanent new agencies of State Government that I am recommending to you. I believe they both can contribute greatly to the effectiveness of any defense program, and to the success of our efforts in the reconversion period that will follow.

You have been very patient. I appreciate the attention you have given my message. I want you to know that I will be equally interested in your views on any subject vital to the protection or welfare of our people.

Working together in this manner, we can make this first administration in California's second century of statehood constructive and worthy of the critical times we are living in.

EARL WARREN

OATH OF OFFICE ADMINISTERED TO LIEUTENANT GOVERNOR

Lieutenant Governor-elect Hon. Goodwin J. Knight then took and subscribed to the following oath administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court of California:

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

INTRODUCTION OF LIEUTENANT GOVERNOR

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

ADDRESS BY LIEUTENANT GOVERNOR

Lieutenant Governor Knight then proceeded to address the Joint Convention as follows:

ADDRESS BY LIEUTENANT GOVERNOR GOODWIN J. KNIGHT

Four years ago at inauguration ceremonies for Governor Earl Warren and myself, Governor Warren spoke about California during the war years. He advised concerning a future for our State deeply concerned with a vast and ever increasing population. We were reconciled that the problems created for us by this great influx of people, which was even then continuing at the rate of 25,000 a month and has not yet slowed down, would remain our chief concern for decades to come.

I recall that I said, "The Federal Union and all of the states, including our own, are striving today to return to orderly peacetime living."

On that January day in 1947, following our Country's triumph in the second World War, we foresaw a future of peace and reconstruction. Under the United Nations, born in our own San Francisco, we looked forward to the rule of justice and international decency among all nations and peoples.

Now, the whole scene has changed. Through no fault of this State Administration, nor our people, we gather here, under war tensions, with mixed emotions—apprehension that humanity may be scourged with another war, and determination to resist threats of communistic domination.

We regret that many social and political improvements in our own State's business will bear the burden of delay while our concentration will be leveled at civilian defense and the dislocations of military drafts and material and manpower shortages.

Our choked streets, our uncompleted highways, our housing problems, our over-crowded schools, prisons, and asylums, our public transportation system, all are manifest proof of the problem's magnitude that faced us then and faces us now.

For it was beyond the imagination of rational man in 1947 to dream we would again approach the brink of war, but four short years later.

And yet we have. Governor Warren has set the tenor of this session. He has said it is to be primarily concerned with Defense. And in that he is right. It should be

For no matter how crying is the need for progress within our State, unless we maintain the freedom of our Country, and so our State, all this that we need, plus all that which we have gained, will go down under the heel of the tyrant.

In that we must divert ourselves to Defense instead of Progress, our meeting here today is tragic. Yet there is not one of us who would reverse the order of business as laid out by the Governor: First, the defense of our California and our Country; and, second, the peaceful progress of our State.

At another inaugural, four years from now, the Governor and the Lieutenant Governor again will address you. I earnestly hope that they can, then, direct their remarks toward the things we of this session cannot afford.

We have entered the second half of the Twentieth Century and the second century of California's statehood. During the past half century

we have enjoyed the many fruits of inventors and scientists who have given us a standard of living greater than that of any other nation.

We have seen the horse and buggy replaced by the automobile, coal oil lamps replaced by electric lights, the advent of radio and television, the transportation field drastically altered by the airplane—all of these changes plus great advances in the field of medicine and the exact sciences have unfolded for us a new world and a new way of life.

There are those who would like to convince us that the future is black and that the United States has reached its apex of power. Such people lack faith and courage and vision. With able leadership and the help of the Divine Providence which has guided our destinies, we can and will go forward to finer achievements.

With the advent of each new year it is customary to review the past and plan for the future. A few gloomy people are telling each other that we have no future, that we shall be lucky to escape complete annihilation. There is very little that the average citizen can do about world conditions, but we do know that every patriotic citizen in California and its sister states stands ready to fight to maintain the civilization we now enjoy. Daniel Webster told us 117 years ago that "God grants liberty only to those who love it, and are always willing to guard and defend it."

Now, it becomes my good fortune to commence another term as Lieutenant Governor. I look back upon four years in public office enriched by wonderful friendships, by generous help of many fine people. I am deeply grateful for the confidence and good will which has been extended to me. They are a challenge inspiring increased devotion to the welfare of our own California.

PRESENTATION OF UNITED STATES AND BEAR FLAGS TO GOVERNOR

The California National Guard Association presented the Colors to Governor Earl Warren. Major General Daniel H. Hudelson of Los Angeles, Commanding General of the 40th Infantry Division, now in federal service at Camp Cooke, and Brigadier General James W. Cooke of San Francisco, President of the National Guard Association, made the presentation. They were assisted by Colonel Kenwood B. Rohrer of Los Angeles, Chief of Staff, 40th Infantry Division, Past President of the Association, and Captain Alvin Daspit of San Francisco, Association Secretary. Four National Guard enlisted men, World War II veterans representing all units of the State's military forces, were the Color bearers The men, all six feet, two inches or taller, are Sergeants John V. Noonan and Michael A. Nolan, Headquarters Detachment, Sacramento; Master Sergeant Robert R. Schmitt, 49th Infantry Division, Sacramento; and Sergeant First Class Denzil F. Goforth of the 40th Infantry Division.

MEMBERS OF THE GOVERNOR'S FAMILY ESCORTED FROM THE ROSTRUM

At the request of Speaker Sam L. Collins, Mrs. Earl Warren, wife of the Governor; Miss Virginia, his daughter; and his sister, Mrs. Ethel Plank of Oakland, were escorted from the rostrum by Mrs. Sam L. Collins, wife of the Speaker, and Mrs. Niehouse.

ADJOURNMENT OF JOINT CONVENTION

At 2.20 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

IN ASSEMBLY

At 2.23 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 8, 1950

MR. SPEAKER: I am directed to inform your honorable body that the Senate has elected the following statutory officers for the 1951 Regular Session:

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

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

COMMUNICATIONS

By the Chief Clerk:

A communication and resolution from the California State Personnel Board, relative to state salaries, were received, and ordered referred to the Committee on Civil Service and State Personnel.

By the Chief Clerk:

A communication from the State Board of Equalization and 10 county reports, relative to property tax, were received, and ordered referred to the Committee on Revenue and Taxation.

By the Chief Clerk:

A communication from Scott Weller of Los Angeles, extending Christmas and New Year greetings, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A telegram from R. E. Shafer of Pasadena, relative to world conditions, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from G. E. Martell, Secretary, San Francisco Women's Legislative Council, enclosing a resolution by the Council relative to Assembly Concurrent Resolution No. 21 of the 1950 Third Extraordinary Session, was received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

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

Letter of Transmittal

CALIFORNIA CODE COMMISSION
STATE CAPITOL, SACRAMENTO 2, CALIFORNIA, December 5, 1950

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

DEAR MR. OHNIMUS: Please find enclosed a copy of the Code Commission Report to the Legislature for 1951

This report is submitted to you pursuant to Section 10333 of the Government Code. Copies have been distributed to the Governor, Members of the Legislature, and the heads of all state departments.

Very truly yours, RALPH N. KLEPS, Secretary
By CHAS. W. JOHNSON, Assistant Secretary

Above transmitted report ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Mack H. Brown of Richmond, California, relative to compensation for injuries, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Blanche Johnson of Santa Rosa, relative to the election of a Speaker, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Benj. McKenzie J. Milleson of Topeka, Kansas, relative to shoe leather, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, December 14, 1950

RE: Assembly Concurrent Resolution No. 23—1950 First Extraordinary Session

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

DEAR MR. OHNIMUS: By Assembly Concurrent Resolution No. 23, the California Highway Commission and the Department of Public Works were requested to survey a highway route in Imperial County from Ogilby-Palo Verde Road to the Colorado River in the general vicinity of the 4-8 Ranch, and to make an approximate estimate of the cost thereof.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

C. H. PURCELL
Director of Public Works

Above transmitted reports ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

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

Letter of Transmittal

CALIFORNIA STATE PERSONNEL BOARD
SACRAMENTO, CALIFORNIA, January 4, 1951

Mr. Arthur Ohnimus, Chief Clerk
California State Assembly
Sacramento, California

DEAR MR. OHNIMUS: The State Personnel Board at its regular meeting on December 16, 1950, adopted the following resolution:

Resolved, That the Report of the California State Personnel Board in Compliance with House Resolution No. 248 Adopted by the Assembly, California Legislature June 20, 1949, be adopted The Secretary of the California State Personnel Board is directed to file the report with the Legislature in accordance with the provisions of House Resolution No 248.

In conformance with this resolution, we are transmitting a copy of the report to be filed with the Assembly.

Additional copies of the report are available on request.

Very truly yours,

JOHN F. FISHER, Secretary

Above transmitted report ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 1, 1950

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

DEAR ARTHUR: This is to advise that I have this day appointed H. Allen Smith as a member of the Interim Committee on Governmental Reorganization (H.R. 222), vice Willard M. Huyck, who has resigned. I have advised Chairman James W. Silliman of this appointment.

With kind personal regards, I am
Sincerely,

SAM L. COLLINS, Speaker

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 9, 1950

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

DEAR ARTHUR: This is to advise that I have this day appointed Stanley T. Tomlinson to serve as a member of the Interim Committee on Ways and Means in place of Charles M. Weber, who has resigned.

With kind personal regards, I am
Sincerely,

SAM L. COLLINS, Speaker

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 9, 1950

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

DEAR ARTHUR: This is to advise that I have this day appointed Vincent Thomas to serve as a member of the Interim Committee on Governmental Reorganization (H. R. 222), in place of Elwyn Bennett, who has resigned

With kind personal regards, I am
Sincerely,

SAM L COLLINS, Speaker

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 30, 1950

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

DEAR ARTHUR: This is to advise that I have this day appointed Jonathan J. Hollibaugh as a member of the Joint Interim Committee on Legislative Budget in place of Samuel Yorty, who has resigned.

Kind personal regards.
Sincerely,

SAM L. COLLINS, Speaker

By Speaker Collins:

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

ST. MARY'S CHURCH
WALNUT CREEK, CALIFORNIA, November 3, 1950

The Honorable Samuel L. Collins
Speaker of the Assembly
Sacramento, California

DEAR MR. SPEAKER: My brother and I deeply appreciate the great honor that Assembly Concurrent Resolution No. 3 bestowed on our late father, John P. McLaughlin, of San Francisco, California. We are grateful for the recognition of his service to his native State, but particularly happy with the permanent and beautiful reminder of his life and work. We shall treasure it always with respect and admiration.

My father was no stranger to the Senate and Assembly of the California Legislature. He had friends there by the score, and his greatest contribution to the commonweal was the fulfillment of their will as State Labor Commissioner of California.

With grateful heart and thanks, I am

Gratefully,

REV. JOSEPH E. McLAUGHLIN

By the Chief Clerk:

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

UNITED NATIONS—NATIONS UNIES
LAKE SUCCESS, NEW YORK, November 17, 1950

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

DEAR MR. OHNIMUS: I wish to thank you and the Members of the California Legislature for the three illuminated copies of the Assembly resolution congratulating me on the award of the Nobel Peace Prize. I am deeply appreciative.

Sincerely yours,

RALPH J. BUNCHE

By the Chief Clerk:

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

DEPARTMENT OF THE ARMY
WASHINGTON, D. C., November 16, 1950

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

DEAR MR. OHNIMUS: May I take this opportunity to express my own personal gratification and the appreciation of the entire Army for the action taken by the Assembly of the State Legislature of California in passing House Resolution No. 16, resolving that adjournment on that day be in honor of the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.

I should be very glad to have you convey this expression of appreciation to the Assembly.

Sincerely yours,

FRANK PACE, JR.
Secretary of the Army

By the Chief Clerk:

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

TREASURY DEPARTMENT
WASHINGTON, November 13, 1950

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

MY DEAR MR. OHNIMUS: I have received a printed copy of House Resolution No. 16, adopted unanimously by the Assembly of the State of California on September 22, 1950, in honor of the heroic determination of our Armed Forces to end present hostilities and bring peace to a world free from all aggression.

On behalf of the United States Coast Guard, I wish to express appreciation for the sentiments of high regard conveyed in this resolution

Very sincerely yours,

G. H. FOLEY, SR.
Acting Secretary of the Treasury

By the Chief Clerk:

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

OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON 25, D. C., November 14, 1950

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

DEAR MR. OHNIMUS: The Secretary of Defense has asked me to acknowledge and to thank you for your courtesy in sending him the copy of "House Resolution No 16"

The action taken by the California Legislature in honor of the Armed Forces is greatly appreciated.

Sincerely yours,

K. R. KREPS
Colonel, U. S. Air Force
Acting Executive Secretary

By the Chief Clerk:

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

DEPARTMENT OF THE AIR FORCE
OFFICE OF THE DIRECTOR OF PUBLIC RELATIONS
WASHINGTON, November 10, 1950

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

DEAR SIR: Secretary Finletter has asked that we reply to your letter of November 2, 1950, concerning a printed copy of House Resolution No. 16, California Legislature, honoring the Armed Forces of the United States

The resolution has been received and we are happy to acknowledge this honor paid the Armed Forces by the California Legislature Assembly.

Sincerely,

SORY SMITH
Brigadier General, USAF
Director of Public Relations

By the Chief Clerk:

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

NEW YORK 19, NEW YORK, November 11, 1950

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

MY DEAR MR OHNIMUS I am indeed grateful to the Members of the Assembly for the honor accorded me in House Resolution No 9, introduced and sponsored by Honorable Kathryn T. Niehouse on September 20th last, and for your letter of November 2d The resolution, you may be sure, will hold an important place among my cherished mementoes of my swim across the English Channel.

As I see it now, the swim itself was important only to the extent that it enables me today to capture the interest of my fellow citizens, particularly our young people, in the value of wholesome sports If I am able to put across this message to any considerable segment of our sports-minded younger generation I will feel that the Channel swim was a worthwhile undertaking

I will appreciate it if you will extend my warm thanks to the Members of the Third Extraordinary Session of the California Legislature for the honor extended me in their resolution

Sincerely yours,

FLORENCE CHADWICK

By the Chief Clerk:

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

Letter of Transmittal

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA
SAN FRANCISCO 2, CALIFORNIA, October 31, 1950

Assembly, California Legislature
State Capitol
Sacramento 14, California

ATTENTION: Assemblymen H. Allen Smith
Glenard P. Lipscomb

GENTLEMEN:

RE: Compliance with the provisions of House Resolution No. 35, 1949 Session, dealing with the matter of initiating proceedings looking toward effecting grade separations between Southern Pacific Company's tracks and Glendale and Los Feliz Boulevards, respectively, in the County of Los Angeles.

In your Resolution No 35 you request this commission to hold further hearings for the purpose of ordering the construction of grade separations at each of the locations referred to above and assessing the costs of such improvements between the parties.

In reporting on this matter it appears appropriate to give you a brief resume of the activities that have been conducted by this commission and its staff during the past 25 years in connection with effecting grade separations at these two locations.

On September 21, 1925, the commission instituted an investigation on its own motion (Case No 2171) for the purpose of determining whether in the interest of public convenience and safety the two grade crossings referred to above should be provided with additional protective devices, separated, relocated, or abolished. This case was heard on a common record with Case No 2124 which was a complaint filed with the commission by the Los Angeles County Grade Crossing Committee against the Southern Pacific Company which included more or less the same issues as are contained in Case 2171. After a number of public hearings, decisions were issued directing the construction of separations at the two grade crossings and prescribing an apportionment of the expense of constructing such separations between the parties. The file shows that after considerable time had elapsed the various parties advised the commission that they could not meet the financial requirement assigned to them in the order, and therefore, requested that the proceedings be dismissed. Accordingly, the commission, by its Decision 27098, dated May 28, 1934, dismissed the proceedings in Cases Nos 2124 and 2171 without prejudice.

In House Resolution No 24, dated December 19, 1949, certain agencies, including this commission, were requested to initiate proceedings looking toward effecting separations of grades at Los Feliz Boulevard, Glendale Boulevard, and Fletcher Drive in Los Angeles County, and report to the Assembly not later than March 15, 1950. Pursuant to this House resolution a study was conducted by an Engineering Committee composed of representatives of the Cities of Los Angeles and Glendale, the State Highway Department, the Southern Pacific Company, the commission staff, and other interested parties, particularly city and county planning commissions in that area. This study dealt with a plan and estimated cost of constructing grade separations at each of the three grade crossings referred to in the resolution. This report was transmitted to the Legislature March 6, 1950. Your files will show that the estimated cost of effecting the separations at the three locations was as follows:

Item	*Los Feliz Boulevard*	*Glendale Boulevard*	*Fletcher Drive*
Right of Way	$372,696	$491,559	$248,040
Construction	786,799	1,294,671	1,083,094
Engineering and Contingencies	173,925	267,935	199,670
	$1,333,420	$2,054,165	$1,530,804

The report contained a number of observations, one of which reads as follows:

"4 Due to the magnitude of the financial problem necessary to carry out any or all of the grade separations under consideration, it is recommended that a committee be appointed to develop a plan to finance the respective improvements. It would appear that the Legislature might be the moving party to initiate such a program."

At this time the commission staff is taking leadership in conducting a study, the objective of which is to classify grade crossings for separation or additional protection on a state-wide priority basis. Doubtless the two grade crossings involved in

your Resolution No. 35 will rank well at the top of the priority list for improvement in the way of grade separations. This study when completed will be available for such use as the Legislature desires to make of it.

While it is apparent that it is in the public interest to effect grade separations at the two locations referred to in your House Resolution No. 35, in the near future it would appear that the matter of financing such improvement is one that must be given serious consideration. It has been suggested at informal conferences dealing with proposed grade separations prescribed in other House Resolutions, Nos. 70, 72, 78, and 87, that the Legislature might appropriate funds to aid in a state-wide grade crossing improvement program. The commission staff, with the aid of representatives of the other interested parties, are now in the process of conducting a study in response to each of these house resolutions, and it is anticipated that a report will be filed within the allotted time, January 15, 1951. It is apparent that all of the related grade crossing matters now under consideration should be considered together

It would appear that in the light of the state-wide grade crossing study now under way, together with the fact that no financial plan has been suggested for consideration, that it would be appropriate to withhold any further hearings until plans for financing these separations are more fully developed. It is the commission's plan to keep in touch with the situation and at the opportune time proceed along the lines prescribed in your House Resolution No. 35.

Most respectfully,

R. E. MITTELSTAEDT, President

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

By the Chief Clerk:

A communication from Mrs. Fred W. Dow, Director, District 8A, California Garden Clubs, Inc., transmitting a resolution protesting the removal of trees from Capitol Park to provide parking area, was received, and ordered referred to the Committee on Rules

By the Chief Clerk:

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

Letter of Transmittal

CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE DIVISION ENGINEER, SOUTH PACIFIC DIVISION
OAKLAND ARMY BASE, OAKLAND 14, CALIFORNIA, October 9, 1950
REFER TO FILE No. PSDGP 800.121 (General)

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

DEAR MR. OHNIMUS: Inclosed is a copy of an information pamphlet entitled "The Corps of Engineers in California, July, 1950." This material is furnished as assistance in keeping abreast of the civil works program of the Corps of Engineers in your State

Sincerely yours,

J. S. SEYBOLD, Colonel, CE
Division Engineer

Above transmitted information pamphlet ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Mrs. Grace Bederio, Corresponding Secretary, Residents' Association of Ramona Gardens Housing Development, Los Angeles, relative to child care centers, was received, and ordered referred to the Committee on Social Welfare

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, December 20, 1950

RE: A. C. R. 53, 1949 Regular Session

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

DEAR MR. OHNIMUS: By Assembly Concurrent Resolution No. 53 the State Department of Public Works was directed to survey a state highway route from Route 28 at MacArthur to Route 29 near Susanville, running via Pittville, Halls Flat and Poison Lake, or such alternate connection between Routes 28 and 29 as the department considered more appropriate, and report to the Legislature at the 1951 Regular Session

In accordance with the request contained in the resolution, a report has been prepared. Six copies are attached for your information.

Very truly yours,

C. H. PURCELL, Director of Public Works

Above transmitted reports ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DIVISION OF BEACHES AND PARKS
DEPARTMENT OF NATURAL RESOURCES, SACRAMENTO, January 3, 1951

Subject: House Resolution No. 77

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

DEAR MR. OHNIMUS: Attached is a Report from the Division of Beaches and Parks based upon investigation of an area along the Colorado River in the vicinity of the Imperial Dam proposed for acquisition as a unit of the State Park System.

The State Park Commission considers the attached report as meeting the requirements of House Resolution No. 77, Statutes of 1949.

Sincerely yours,

EARL P HANSON, Acting Chief
Division of Beaches and Parks

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

PETITIONS

By the Chief Clerk:

A petition from Ray Minnis of Lennox, California, and 103 others, relative to making federal funds available to totally and permanently disabled persons in California, was received, and ordered referred to the Committee on Social Welfare.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Today, at 4 p.m.—

Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Governor Earl Warren will be in his office this afternoon for the purpose of receiving friends.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mrs. Niehouse and Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Katherine Adams Stoll and Miss Ruth Patterson of Los Angeles, and Mrs. David Klyce of Van Nuys

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Martha Pfister, Mrs. Calvin Collins, and Miss Gretchen Ries of Santa Rosa.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Lieutenant General and Mrs. Leo D. Hermle of San Diego.

On request of Mr. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ethel Hamby and Mrs. Gertrude McElroy of Sacramento.

On request of Mr. Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Anna Bresin of Los Angeles.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Dean Cromwell, U.S C , Mrs. Rollin Brown, Judge Garrett Houck; Mrs. Bartlett Heard, and Lieutenant General Leo D. Hermle, U.S.M.C.-Ret. and Mrs. Venepha Hermle of Los Angeles.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Trinidad B Morris and Hon. Fred Roberts, former Assemblyman from Los Angeles.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Lowell Ogden, Robert Jones, Gifford Cole, and Hugh Sweet of Lancaster.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Judge Albert Wollenberg and Judge W T. Sweigert of San Francisco; Mrs. Ernest Crowley of Fairfield; former Assemblymen Chas. Weber of Stockton; Ernest Debs and Fred Roberts of Los Angeles; Major General Walter M. Robertson of Sacramento, and former U. S. Senator and Mrs. Tom Stork of Santa Barbara, and Judge Thomas J. Cunningham of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Neva Sundstrom of Sacramento.

ADJOURNMENT

At 2.25 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Tuesday, January 9, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 9, 1951

The Assembly met at 11 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Leverenz, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

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

Our Father, which art in heaven,
Hallowed be Thy name;
Thy Kingdom come,
Thy will be done,
In earth, as it is in heaven.

We seek Thy guidance for the deliberations of the Assembly. We pray for the President of the United States, the Governor of our Commonwealth, the presiding officer of the Assembly and for each member of this body.

Fill our hearts with gratitude for citizenship in this land of freedom and opportunity. Shelter our families and our loved ones; guard those who serve as our defenders, that there shall come again the blessings of peace and brotherhood.

"God bless our native land;
Firm may she ever stand
Through storm and night:
When the wild tempests rave,
Ruler of wind and wave,
Do Thou our Country save
By Thy great might."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Doyle, on motion of Mr. Klocksiem.

Mr. Tomlinson, on motion of Mr. Klocksiem.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 9, 1951

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

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

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 1—Relative to the creation of a Special Joint Committee to Study the Anti Cross Filing Initiative Measure.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 2—Relative to the creation of a Special Joint Committee to Study the Old Age Assistance Initiative Measure.

Referred to Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that departmental bills will be introduced today, and commended the departments for their fine cooperation in preparing their bills for early introduction.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

1628 BRAE BURN ROAD
ALTADENA, CALIFORNIA, January 4, 1951

Members of the Assembly
Sacramento, California

GENTLEMEN: On behalf of our entire family, I wish to gratefully acknowledge the resolution passed by your honorable body expressing your sorrow and regret over the death of my husband, Mr. Arthur P. Will.

It is wonderful to realize that he had made so many friends among the members of your body during his long service in Sacramento as Legislative Counsel and later as Special Consultant.

I had the privilege of talking to persons who heard the fine statements made by several Members of the Assembly at the time of the adoption of this resolution and, as a result, appreciate more fully your kindness in taking time during a busy session to

eulogize his character and his work. All of us, including not only the immediate family but other relatives living in Canada and other parts of the United States, have received copies of this resolution with a great feeling of gratitude.

Aside from the great work done by your honorable body, this thoughtful consideration of personal things shows your understanding and increases your greatness as individuals and as a body.

Sincerely yours,

FLORA MAUDE WILL

By Speaker Sam L. Collins:

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

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, November 14, 1950

The Honorable Sam L. Collins
Speaker of the Assembly

Pursuant to the provisions of Section 6028 3 of the Penal Code, I have the honor, in behalf of the State Board of Corrections, to transmit the Final Report of the Special Crime Study Commission on Organized Crime

Respectfully,

RICHARD A. McGEE, Director of Corrections

Above transmitted report ordered filed with the Secretary of State.

By Speaker Sam L. Collins:

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

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32 the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and makes the following recommendation.

Approved for Press Card

Radio station KXOA—Hal Laffoon, Earle Russell

Sincerely,

EARL C. BEHRENS, President

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 6, 1951

Hon. Sam L Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Cards

Associated Press—Morrie Landsberg, Wayne Harbert, Joseph J Lipper, William H Allen, Richard D. Bieser, Edward A. Olsen, Roger Barr, Al Barton, Carol Ann Carlsen.
Capitol News Service—Henry C. MacArthur, Norris C. Mills.
International News Service—Neil Shaw, Frederic J. Rupp.
Fresno Bee and Modesto Bee—James McClatchy.
Los Angeles Daily News—Leslie E. Claypool.
Los Angeles Examiner—Carl Greenberg
Los Angeles Mirror—James Bassett.
Los Angeles Times—Chester G Hanson
McClatchy Broadcasting Company—Tony Koester, Victor Blanks
Oakland Tribune—Don Thomas.
Radio Station KROY—Henry Thornley, Clyde F. Coombs, William J. Radcliff, Gene Desimone.
Sacramento Bee—Herbert L. Phillips, Richard Rodda, Thomas Arden, Robert M Blanchard, S. J. Archibald, Walter P. Jones, Myron V. Depew, George E. Helmer, Hamilton Hintz, Rudy Hickey, Alfred E. Lyons, Robert Handsaker.

San Francisco Chronicle—Earl C. Behrens.
San Francisco Call-Bulletin—C. Lyn Fox.
San Francisco Examiner—Royal W. Jimerson, A. J. Welter.
San Francisco News—Mary Ellen Leary.
United Press—Lloyd Lapham, James C. Anderson, Walter Barkdull, Edward Dolan, John Fothergill, Charles Fredericks, J. F. McLaughlin, Wayne Sargent.
San Diego Union and Evening Tribune, and *Southern California Associated Newspapers, Inc.*—Richard C. Bergholz
Sacramento Union—J. L. Rosenberg, E. E. Nichols, Norman Deuel, Joseph Benetti

Sincerely,

EARL C. BEHRENS, President

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 3, 1951

RE: S. R. 38, 1950 First Extraordinary Session

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

DEAR MR. OHNIMUS: By Senate Resolution No. 38 by Mr. Busch the Department of Public Works was requested to make a survey to ascertain the most feasible location for a state highway connecting State Highway Route 1 at its junction with State Highway Route 15 with State Highway Route 56 at Fort Bragg, via Willits, and to report thereon to the Senate not later than January 15, 1951.

For your information, there are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

C. H. PURCELL, Director of Public Works

Above transmitted six copies of report ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Sam L. Collins:

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

Letter of Transmittal

STATE LANDS COMMISSION
DIVISION OF STATE LANDS, DEPARTMENT OF FINANCE
SACRAMENTO, January 8, 1951

To the Assembly of the State of California

Pursuant to the provisions of Section 6211 of the Public Resources Code (formerly Chapter 800, Statutes of 1917), may we respectfully report that, according to advices received, certificates of title under the Torrens Law were issued by the following counties in accordance with the tabulation below

Alameda	214	San Bernardino	16,627
Fresno	131	San Diego	10,727
Humboldt	452	San Francisco	25
Imperial	80	San Luis Obispo	1
Inyo	4	Santa Barbara	1,394
Kern	223	Santa Cruz	651
Los Angeles	204,886	Sierra	8
Merced	1	Sonoma	1,236
Mono	5	Tulare	139
Orange	13,723	Ventura	6
Riverside	432		

It will be noted that there are but 21 counties included in the above tabulation. The remaining counties have heretofore reported that there are not now and have not been in the past any Torrens title registrations in their respective counties.

The books of the State Treasurer, as reflected by his report for the fiscal year ending June 30, 1950, show a cash balance of $48 96 in the "Torrens Title Assurance Fund" and a net deficit of $7,876 71

Respectfully submitted,

STATE LANDS COMMISSION
DIVISION OF STATE LANDS
By A P IRELAND

ANNOUNCEMENT

Speaker Sam L Collins announced that all members should check the mileage resolution so that any incorrections may be eliminated prior to the adoption of the resolution.

RESOLUTIONS

The following resolution was offered ·

By Mr. McCollister:

House Resolution No. 17

Relating to an investigation and report concerning the advisability of resetting the boundaries of Mount Tamalpais Game Refuge

WHEREAS, The population in the area constituting Fish and Game District 2B (Mount Tamalpais Game Refuge) has increased tremendously in the past decade; and

WHEREAS, Due to the increase in the population and other factors including a possible overabundance of deer and other animals, it may be necessary or desirable to reconstitute the district, now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission be and it is hereby requested to investigate, and consider the advisability of redefining the boundaries of Fish and Game District 2B, including in its investigation the expanding growth of population within the district, the possible overabundance of animal life therein, the number of cities therein, and other factors deemed pertinent by the commission, and to report thereon to the Assembly not later than April 15, 1951, including in its report recommendations for any legislation deemed necessary or desirable, and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a copy of this resolution to the Fish and Game Commission

Resolution read, and ordered referred to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FIRST PRELIMINARY REPORT BE PRINTED IN JOURNAL

Mrs Niehouse asked for, and was granted, unanimous consent that a letter of transmittal and a First Preliminary Report of the Assembly Interim Committee on Social Welfare (H. R. No 71, 1950, Second Extraordinary Session) on the Child Care Center Program be ordered printed in the Journal; and that the report be printed in 10 point type.

(Above mentioned letter and report will appear prior to the motion to adjourn)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1: By Messrs. Babbage, Waters, Fleury, and McCarthy—An act to add Section 1256.1 to the Code of Civil Procedure, relating to condemnation proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2: By Mr. Beck—An act to provide for the establishment of a judicial district comprising the City of San Fernando, including the establishment and functioning of a municipal court therein.

Referred to Committee on Judiciary.

Assembly Bill No. 3: By Mr. Berry—An act to amend Section 11104 of the Elections Code, relating to the publishing of a notice of intention to recall.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 4: By Mr. Brown—An act to provide for the establishment of a state college in Stanislaus County, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 5: By Messrs. Burke and McGee—An act to amend Section 18054 of the Education Code, relating to the making of contracts by school districts.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 1: By Messrs. Butters, Brown, Cooke, Clarke, Erwin, Lowrey, and Stanley—Relative to the continuance of the Joint Committee on Water Problems.

Referred to Committee on Rules.

Assembly Bill No. 6: By Mr. Chapel—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Referred to Committee on Judiciary.

Assembly Bill No. 7: By Mr. Clarke—An act to amend Section 92 5 of the Agricultural Code, relating to premiums paid by fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 8: By Mr. Cloyed and Mrs. Niehouse—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System

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

Assembly Bill No. 9: By Messrs Coats and Moss—An act to amend Sections 4503 and 4538 of, and to add Sections 4505 and 4538.1 to, the Elections Code, relating to campaign expenditures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 10: By Mr. Collier—An act to add Section 9906 6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 11: By Messrs. George D. Collins, Gaffney, Meyers, Berry, and McCarthy—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, relating to transfer fees in probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 12: By Messrs. Sam L. Collins and Maloney—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 13: By Messrs. Condon and Geddes—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 14: By Mr. Conrad—An act to amend Sections 2799, 2800, 2802, 2805, 2815, 2816, 2831, 2832, 2840, 2841, 2842, and 2843 of the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state and county central committees thereof.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 15: By Mr. Davis—An act to amend Section 28140 of the Government Code, relating to compensation for public service in counties of the fortieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 16: By Messrs. Dickey, Dolwig, Hollibaugh, McCollister, Crowley, Dills, Doyle, Geddes, Silliman, and Smith—An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 17: By Mr. Dolwig—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 17

Mr. Dolwig asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 17.

Assembly Bill No. 18: By Mr Dunn (By Request)—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of the Government Code, relating to the incorporation and boundaries of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 19: By Messrs. Erwin, Geddes, Silliman, Butters, Clarke, Lyon, and Stewart—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 20: By Messrs. Fleury and Moss—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 21: By Messrs. Geddes, Dunn, Mrs. Niehouse, Messrs. Porter, Beck, Burke, Caldecott, Condon, Dills, Grant, Hahn, Luckel, McMillan, Morris, Munnell, Rosenthal, and Stewart—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 22: By Messrs. Grant and Stewart—An act to add Chapter 13, consisting of Sections 8000 to 8080, inclusive, to Division 3 of the Business and Professions Code, relating to the regulation and licensing of interior decorators and designers, creating a State Board of Interior Decorators, prescribing their powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 23: By Mr. Hagen—An act to amend Section 25656 of the Water Code, relating to assessments in irrigation districts

Referred to Committee on Agriculture.

Assembly Bill No. 24: By Messrs. Hahn, Burke, Morris, Levering, Babbage, Collier, Geddes, Grant, Grunsky, Hansen, Kirkwood, Lanterman, Lincoln, Lipscomb, Luckel, and Rosenthal—An act to suppress gambling, by regulating the use of private wire communications services afforded by public utilities and making illegal the furnishing or use thereof for dissemination of information and advices for use in gambling or in furtherance of gambling, and prescribing penalties for violations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 25: By Messrs. Hawkins, Rumford, Dills, Kilpatrick, George D. Collins, Condon, Dunn, Elliott, Evans, Gaffney, Morris, Mrs. Niehouse, and Mr. Rosenthal—An act to add Article 5, comprising Sections 11628, 11629, and 11629.5, to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 26: By Messrs. Hinckley and Shaw—An act to amend Section 31679 of the Government Code, relating to the members of the county employees retirement system.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 27: By Mr. Kelly—An act to add Chapter 6.5 to Division 10 of the Education Code, relating to the California School of Mines, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 2: By Messrs. Klocksiem and Grant—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 28: By Messrs. Lindsay, Moss, and Hansen—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 29: By Mr Lipscomb—An act to amend Sections 12142 and 12144 of the Education Code, relating to psychological services in the schools.

Referred to Committee on Education.

Assembly Bill No. 30: By Mr. Luckel, Mrs Niehouse, Messrs. Cloyed, Burke, Babbage, Berry, Burkhalter, Butters, Caldecott, Clarke, Collier, Cooke, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Lyon, McCarthy, Meyers, Morris, Moss, and Stanley—An act to amend Section 19432 of the Education Code, relating to use of school property.

Referred to Committee on Education.

Assembly Bill No. 31: By Mr. McCollister—An act making an appropriation of the unexpended balance of money appropriated by Item 245.1 of the Budget Act of 1950, to the Department of Public Works, and specifying the use therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Request for Unanimous Consent That Rush Order Be Placed Upon the Printing of Assembly Bill No. 31

Mr. McCollister asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 31.

Assembly Bill No. 32: By Mr McMillan—An act to add Section 59 3 to the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Referred to Committee on Crime and Correction.

Assembly Bill No. 33: By Mr. Morris—An act to amend Sections 20013 and 20014 of, and to add Sections 20017 7, 21020 7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State

Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 34: By Messrs. Moss and Fleury—An act to add Section 9612 to the Government Code, relating to the interpretation of statutes referring to military service and specified branches thereof.

Referred to Committee on Military Affairs.

Assembly Bill No. 35: By Messrs. Munnell and Rosenthal—An act to amend Section 1596.1 of the Education Code, relating to school sites.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 36: By Mrs. Niehouse—An act to add Section 11003.5 to the Government Code, relating to payments to the State by means of negotiable paper.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 37: By Mr. Rosenthal—An act to amend Sections 1732, 1744, 1745, 1760, 1761, 1763, 1768, 1769, 1770, 1771, and 1772 and the addition of Sections 1773 and 1774, respectively, of the Code of Civil Procedure, relating to the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 38: By Mr. Sherwin—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 39: By Mr. Silliman—An act adopting and authorizing a plan for construction of the San Lucas Dam and reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000) and making an appropriation therefor.

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

Assembly Bill No. 40: By Mr. Stewart—An act to amend Section 13926 of the Government Code relating to awards made by the State Board of Control.

Referred to Committee on Governmental Efficiency and Economy

Assembly Constitutional Amendment No. 1: By Mr. Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 41: By Messrs. Waters and Conrad—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 42: By Messrs. Waters and Conrad—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 43: By Mr. Stewart—An act to amend Section 13145 of the Government Code, relating to refunds by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 44: By Messrs. Maloney and Connolly—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 45: By Messrs. Luckel, Cooke, Cloyed, Burke, Babbage, Beck, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lyon, McCarthy, Meyers, Morris, Moss, Silliman, and Stanley—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 46: By Messrs. Lindsay and Hansen—An act to amend Section 11700, and to repeal Sections 11701 and 11702, of the Water Code, relating to issuance of bonds by the Water Project Authority.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 47: By Messrs. Klocksiem, Grant, Hahn, and McGee—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 48: By Messrs. Hahn and Morris—An act to amend Section 420 of and to add Section 429.5 to the Fish and Game Code, relating to sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 49: By Mr. Hagen—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Referred to Committee on Agriculture.

Assembly Bill No. 50: By Messrs. Grant, Thomas, Cooke, and Erwin—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 51: By Messrs. Geddes and Morris—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 52: By Mr. Conrad—An act to amend Section 7420 of, and to add Section 7421 to the Business and Professions Code, relating to the granting of cosmetology licenses.

Referred to Committee on Public Health.

Assembly Bill No. 53: By Mr. Condon—An act to amend Section 209 of the Unemployment Insurance Act, relating to hospital benefits, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 54: By Messrs. George D. Collins, Gaffney, Condon, Berry, Coats, Elliott, Hagen, Hawkins, McFall, Meyers, Moss, and Parker—An act to add Sections 12523 and 12524 to the Government Code, relating to the duties of the Attorney General with respect to public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 55: By Messrs. Collier and Levering—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings

Referred to Committee on Education.

Assembly Bill No. 56: By Mr. Clarke—An act to amend Section 19626 of the Business and Professions Code, relating to allocation of moneys in the Fair and Exposition Fund.

Referred to Committee on Agriculture.

Assembly Bill No. 57: By Mr. Chapel—An act to add Sections 1276a, 1276b, 1276c, and 1278a to, and to amend Sections 1276 and 1278 of the Code of Civil Procedure, relating to the procedure for change of name.

Referred to Committee on Judiciary.

Assembly Bill No. 58: By Mr. Butters—An act to amend Section 1613 of the Elections Code, relating to county and township initiative elections.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 59: By Messrs. Burke, McGee, and Lanterman—An act to amend Section 6342 of the Elections Code, relating to voting machines.

Referred to Committee on Municipal and County Government

Assembly Bill No. 60: By Mr. Brown—An act to add Article 8.5, comprising Sections 31690 to 31692, inclusive, to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the members of

county employees' retirement systems in respect to employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 61: By Mr. Brady—An act relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 62: By Mr. Berry—An act to amend Sections 11108 and 11120 of the Elections Code, relating to recall of municipal officers.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 2: By Messrs. Babbage, Grunsky, Brown, McGee, Gaffney, Kirkwood, Klocksiem, and Shaw—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I thereof, relating to grand juries.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 63: By Mr McCollister—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 64: By Mr. McCollister—An act making an appropriation for the establishment of a National Guard Armory in Marin County.

Referred to Committee on Military Affairs.

Assembly Bill No. 65: By Mr. McCollister—An act to amend Sections 984 and 985 of, and to add Section 988 4 to, the Military and Veterans Code, relating to loans for farm and home purchases to unremarried widows of veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 66: By Mr. McCollister—An act to amend Section 1535 4 of the Military and Veterans Code, relating to civil defense.

Referred to Committee on Military Affairs.

Assembly Bill No. 67: By Mr. McCollister—An act to make an appropriation to the California State Disaster Council for allocation by it to cities and cities and counties to help defray civil defense costs.

Referred to Committee on Military Affairs.

Assembly Bill No. 68: By Mr. McCollister—An act to add Section 5082.6 to the Business and Professions Code, relating to the application of persons serving in the Armed Forces for registration as public accountant.

Referred to Committee on Military Affairs.

Assembly Bill No. 69: By Mr. McCollister—An act to add Sections 9541.1 and 9544.1 to the Business and Professions Code, relating to licensees of the State Board of Dry Cleaners.

Referred to Committee on Military Affairs.

Assembly Bill No. 70: By Mr. McCollister—An act to add Section 8557 to the Business and Professions Code, relating to licensees of the Structural Pest Control Board entering the Armed Forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 71: By Mr. McCollister—An act to repeal Section 114 of the Business and Professions Code, and to add Section 114 to the Business and Professions Code, relating to reinstatement of licenses by persons serving in the Armed Forces

Referred to Committee on Military Affairs.

Assembly Bill No. 72: By Mr. McCollister—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 73: By Mr. McCollister—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 74: By Mr. McCollister—An act to amend Section 970 of the Military and Veterans Code, relating to county service officers.

Referred to Committee on Military Affairs.

Assembly Bill No. 75: By Mr. McCollister—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by paraplegic veterans from the motor vehicle license fee.

Referred to Committee on Military Affairs.

Assembly Bill No. 76: By Mr. McCollister—An act to provide for the incorporation by the State of the Golden Gate Bridge into the State Highway System for certain purposes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 77: By Mr. McCollister—An act to define the powers and duties of the California Toll Bridge Authority in respect to the Golden Gate Bridge and Highway District, providing for the redemption of bonds and the payment of interest, and making an appropriation.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 78: By Mr. McCollister—An act relating to the Golden Gate Bridge, providing that the State of California may lease said Golden Gate Bridge, providing the terms and conditions under which the State of California may lease the said bridge, providing for the

operation of the Golden Gate Bridge by the State of California, and providing that the Golden Gate Bridge shall become a part of the Highway System of the State.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 79: By Mr. McCollister—An act making an appropriation to the Department of Public Works, to be expended in accordance with the California Toll Bridge Authority Act, for the making of plans and specifications for a toll bridge crossing between San Rafael and Richmond.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 80: By Mr. McCollister—An act to amend Sections 1128 and 1130 of the Streets and Highways Code, relating to laying out of private or by-roads.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 81: By Mr. McCollister—An act to add Section 372.1 to the Vehicle Code, relating to registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 82: By Mr. McCollister—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 83: By Mr. McCollister—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 84: By Mr. McCollister—An act to add Sections 159.5, 159.6, and 159.7 to the Vehicle Code, relating to motor vehicle registration.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 85: By Mr. McCollister—An act to add Section 1706 to the Streets and Highways Code, relating to the extension of county highways through cities.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 86: By Mr. McCollister—An act to amend Section 151 of the Fish and Game Code, relating to the boundaries of Fish and Game District 2B.

Referred to Committee on Fish and Game.

Assembly Bill No. 87: By Mr. McCollister—An act to amend Sections 800 and 802, and to repeal Section 794.5, of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 88: By Mr. McCollister—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fairs from taxation.

Referred to Committee on Agriculture

Assembly Bill No. 89: By Mr. McCollister—An act to amend Sections 273a and 273d of the Penal Code, relating to wilful injury to wife or child.

Referred to Committee on Judiciary.

Assembly Bill No. 90: By Mr. McCollister—An act to add Section 17503 to the Business and Professions Code, relating to false or misleading advertisements.

Referred to Committee on Judiciary.

Assembly Bill No. 91: By Mr. McCollister—An act to add Section 808 to the Insurance Code, relating to reduced rates of insurance to individuals of a group.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 92: By Mr. McCollister—An act to add Article 19, comprising Section 1120, to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 93: By Mr. McCollister—An act to amend Section 66 of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Sonoma, and providing for the appointment of an additional judge and for compensation

Referred to Committee on Judiciary.

Assembly Bill No. 94: By Mr McCollister—An act to add Section 32127.5 to the Health and Safety Code, relating to budgets of hospital districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 95: By Mr. McCollister—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 96: By Mr. McCollister—An act to amend the heading of Article 8, Chapter 3, Division 2 of, and to add Section 1672 to, the Education Code, relating to school district elections.

Referred to Committee on Education.

Assembly Bill No. 97: By Mr McCollister—An act to add Section 471 to the Government Code, relating to the First Congressional District.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 98: By Mr McCollister—An act to add Section 492 to the Government Code, relating to the Seventh and Eighth Assembly Districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 99: By Mr. McCollister—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Crime and Correction.

Assembly Bill No. 100: By Mr. Smith—An act to add Sections 104.1, 104.2, and 104.3 to, to amend Sections 2182, 3088.5, and 3474.5, and to repeal Sections 1551, 2182.1, 3086, 3086.1, and 3473.1 of, the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 101: By Mr. Babbage—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District.

Referred to Committee on Municipal and County Government

Assembly Bill No. 102: By Messrs Luckel, Cooke, Cloyed, Burke, Babbage, Beck, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lyon, McCarthy, Meyers, Morris, Moss, and Stanley—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for veterans' dependents, and defining the term "veteran" for purposes thereof.

Referred to Committee on Military Affairs.

Assembly Bill No. 103: By Mr. Luckel, Mrs. Niehouse, Messrs. Cloyed, Burke, Babbage, Berry, Burkhalter, Caldecott, Clarke, Coats, Collier, Cooke, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lyon, McCarthy, Meyers, Morris, and Moss—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to veterans farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 104: By Mr Luckel, Mrs. Niehouse, Messrs. Cloyed, Burke, Babbage, Berry, Burkhalter, Caldecott, Clarke, Coats, Cooke, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lyon, McCarthy, Meyers, Morris, Moss, Stanley, and Stewart—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to the benefit rights of trainees.

Referred to Committee on Industrial Relations.

Assembly Bill No. 105: By Mr. Lindsay—An act to add Chapter 3 to Division 1 of the Water Code, relating to financial assistance to local agencies in development of the beneficial use of water resources of the State, flood control, protection of the quality of water, prevention of

waste water, the incidental production by hydro-electric energy, and creating the State Water Project Development Fund, and making an appropriation thereto.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 106: By Mr. Lindsay—An act to add Section 18.5 to the State Water Resources Act of 1945, relating to distribution of water.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 107: By Messrs. Lindsay, Lowrey, and Davis—An act to add Section 599 to, and to amend Section 384c of, the Penal Code, relating to killing of cattle.

Referred to Committee on Judiciary.

Assembly Bill No. 108: By Mr. Lindsay—An act to add Section 28 5 to the Fish and Game Code, relating to the sale of fish by the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 109: By Mr. Lindsay—An act to add Article 1.5 to Chapter 2 of Division 1 of the Fish and Game Code, relating to open seasons.

Referred to Committee on Fish and Game.

Assembly Bill No. 110: By Mr. Lindsay—An act to amend Section 448 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the forty-eighth class.

Referred to Committee on Municipal and County Government

Assembly Bill No. 111: By Mr. Lindsay—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 112: By Mr. Lindsay—An act to amend Section 28137 of the Government Code, relating to compensation for public services in counties of the thirty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 113: By Mr. Lindsay—An act to amend Section 28142 of the Government Code, relating to compensation for public services in counties of the forty-second class.

Referred to Committee on Municipal and County Government

Assembly Bill No. 114: By Mr. Lindsay—An act to amend Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 115: By Mr. Lindsay—An act to amend Section 28148 of the Government Code, relating to compensation for public services in counties of the forty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 116: By Mr. Lindsay—An act to amend Section 28152 of the Government Code, relating to compensation for public services in counties of the fifty-second class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 117: By Mr. Lindsay—An act to amend Section 28153 of the Government Code, relating to compensation for public services in counties of the fifty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 118: By Mr Lindsay—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 119: By Mr. Lindsay—An act to amend Section 28150 of the Government Code, relating to compensation for public services in counties of the fiftieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 120: By Mr. Lindsay—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 121: By Mr. Kirkwood—An act to amend Section 10786 of the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 122: By Mr. Kirkwood—An act to add Section 635 5 to the Vehicle Code, relating to lighting equipment on school busses.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 123: By Mr. Kirkwood—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Referred to Committee on Education.

Assembly Bill No. 124: By Mr. Berry—An act to repeal Section 11102 of the Elections Code, relating to the number of signatures required for the recall of municipal officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 125: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1950 for legislative printing, binding, mailing, etc., to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 126: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 127: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 128: By Mr. Sherwin—An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 129: By Mr. Sherwin—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 130: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 10 of the Budget Act of 1950, for expenses of Members of the Assembly, to take effect immediately

Referred to Committee on Rules

Assembly Bill No. 131: By Mr. Sherwin—An act making an appropriation to the Department of Veterans' Affairs for educational assistance to veterans, in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 132: By Mr. Sherwin—An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949

Referred to Committee on Ways and Means

Assembly Bill No. 133: By Mr. Sherwin—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means

ANNOUNCEMENT

Speaker Sam L. Collins announced that a no-hostess luncheon for the wives of the legislators and legislative representatives will be held tomorrow, Wednesday, January 10th, at 12.15 p m., in the Jubilee Room of the Hotel Senator; and that Members of the Assembly should inform their wives that reservations are being made in Room 903 of the Hotel Senator

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

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

Assembly Bill No. 134: By Mr. Collier—An act to add Section 16271.1 to the Education Code, relating to the use of school busses.

Referred to Committee on Education.

Assembly Bill No. 135: By Messrs. Burke, McGee, and Lanterman—An act to amend Section 5503, 5553, 5805, and 5809 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 136: By Messrs. Burke, McGee, and Lanterman—An act to amend Section 5565 of the Elections Code, relating to roster of voters and form.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 137: By Messrs. Burke, McGee, and Lanterman—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 138: By Messrs. Burke, McGee, and Lanterman—An act to amend Sections 5736 and 7101, and to repeal Section 7102 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 139: By Messrs. Burke, McGee, and Lanterman—An act to amend Section 7207 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 140: By Mr Stewart—An act to add Section 15106 to the Government Code, relating to the leasing of facilities for connection with the State's teletypewriter system.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 141: By Messrs. Waters and Conrad—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 142: By Messrs. Waters and Geddes—An act to add Section 5.1 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 143: By Messrs. Waters and Rosenthal—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 144: By Mr. Waters—An act to add Section 226.5 to the Elections Code, relating to affidavits of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 145: By Messrs. Waters and Stanley—An act to add Section 556 to, and to amend Sections 700, 729.5, 731, 825, 826, 833, and 833.5 of, the Welfare and Institutions Code, relating to traffic misdemeanors committed by minors.

Referred to Committee on Judiciary.

Assembly Bill No. 146: By Mr Waters—An act to amend Section 3924 of the Elections Code, relating to ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 147: By Mr. Waters—An act to amend Section 3830 of the Elections Code, relating to ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 148: By Mr. Waters—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 149: By Mr. Waters—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 150: By Mr. Waters—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 151: By Mr. Waters—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 152: By Mr. Waters—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 153: By Mr. Waters—An act to amend Section 688 of the Elections Code, relating to oaths.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 154: By Mr. Waters—An act to amend Section 658 of the Elections Code, relating to the eligibility of election officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 155: By Mr. Waters—An act to amend Section 370 of the Elections Code, relating to printing of indices of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 156: By Mr. Waters—An act to add Section 678.5 to the Elections Code, relating to precinct boards and polling places.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 157: By Mr. Waters—An act to add Section 46.5 to the Elections Code, relating to circulators of petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 158: By Mr. Waters—An act to amend Section 8642 of the Elections Code, relating to contests at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 159: By Mr. Waters—An act to amend Section 8645 of the Elections Code, relating to contests at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 160: By Mr. Waters—An act to amend Section 8602 of the Elections Code, relating to contests at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 161: By Mr. Waters—An act to amend Section 8550 of the Elections Code, relating to contests at general elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 162: By Mr. Waters—An act to amend Section 8530 of the Elections Code, relating to contests at general elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 163: By Mr. Waters—An act to amend Section 8625 of the Elections Code, relating to contests at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 164: By Mr Waters—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 165: By Mr. Waters—An act to amend Section 3702 of the Elections Code, relating to ballot paper

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 166: By Mr. Beck—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 167: By Mr. Beck—An act to amend Sections 14702 and 14722 of the Education Code, relating to district retirement salary plans.

Referred to Committee on Education.

Assembly Bill No. 168: By Mr. Beck—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans.

Referred to Committee on Education.

Assembly Bill No. 169: By Mr. Beck—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 170: By Mr. Beck—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Referred to Committee on Education.

Assembly Bill No. 171: By Messrs. Maloney, Belotti, and Chapel —An act to amend Section 356 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 172: By Messrs Maloney and Connolly—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 173: By Mr. Maloney—An act to add Sections 3166 and 3167 to the Harbors and Navigation Code, relating to hospital benefits for persons employed by the State Belt Railroad.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 174: By Mrs. Niehouse, Messrs. Crowley, Levering, and Lipscomb—An act to add Title 11, comprising Sections 1300 to 1332, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Referred to Committee on Judiciary.

Assembly Bill No. 175: By Mrs. Niehouse and Mr. Cloyed—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 176: By Mrs Niehouse—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Institutions or its agencies.

Referred to Committee on Social Welfare.

Assembly Bill No. 177: By Mrs. Niehouse—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Referred to Committee on Social Welfare.

Assembly Bill No. 178: By Mr. Chapel—An act to amend Section 44 12 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 179: By Mr. Chapel—An act to amend Section 11101 of the Elections Code, relating to the recall of municipal officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 180: By Mr. Chapel—An act to amend Section 9755 of the Elections Code, relating to the publication of propositions

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 181: By Mr Chapel—An act to amend Section 9754 of the Elections Code, relating to the publication of lists of candidates.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 182: By Mr. Stanley—An act to provide for the preparation, issuance and sale of state bonds to create a fund to provide for the purchase of revenue bonds issued by counties, cities, districts, municipal corporations, political subdivisions, public corporations, or other public agencies of the State to finance the acquisition and construction of, public improvements of such agencies, or combination of such agencies; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this act

Referred to Committee on Municipal and County Government.

Assembly Bill No. 183: By Mr. Stanley—An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to the powers and duties of counties, cities, districts, municipal corporations, political subdivisions, public corporations, and other public agencies of the State and the legislative bodies thereof, and authorizing the acquisition, construction, maintenance and operation of public improvements and the issuance and sale of revenue bonds to finance the same and providing for the use and expenditure of the proceeds of

such bonds and the use and disposition of revenue arising from public improvements so financed.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 184: By Mr. Stanley—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 185: By Mr. Stanley—An act to amend Sections 2836 and 2837 of the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 186: By Mr. Stanley—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 187: By Mr. Stanley—An act to add Section 2598 to the Elections Code, relating to declaration of candidacy.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 188: By Mr. Stanley—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 189: By Mr. Stanley—An act to add Section 747 to the Fish and Game Code, relating to the taking of yellowtail for commercial purposes.

Referred to Committee on Fish and Game.

CONSIDERATION OF HOUSE RESOLUTION NO. 11

By Mr. Crowley:

House Resolution No. 11

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

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr	Yuba City, Sutter County	58	--	--	58	116	5 80
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4 00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	Gordon A Fleury	Sacramento, Sacramento County	--	--	--	--	--	-----
9	John E. Moss, Jr	Sacramento, Sacramento County	--	--	--	--	--	-----
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7 30

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
11	Howard Q Parker	Stockton, San Joaquin County	48	--	--	48	96	$4 80
12	John J McFall	Manteca, San Joaquin County	48	10	--	58	116	5 80
13	Francis Dunn, Jr.	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F. Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W. Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr.	San Francisco, San Francisco County	90	--	--	90	180	9 00
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9.00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C. Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	Charles S Gubser	Gilroy, Santa Clara County	128	28	--	156	312	15 60
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	Wallace D Henderson	Fresno, Fresno County	169	--	--	169	338	16 90
35	William W Hansen	Fresno, Fresno County	169	3	--	172	344	17 20
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
39	H W Kelly	Shafter, Kern County	278	--	6	272	544	27 20
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H. Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Charles Edward Chapel	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Albert I. Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Ernest R Geddes	Claremont, Los Angeles County	447	26	--	473	946	47 30
50	Thomas M Erwin	Puente, Los Angeles County	447	19	--	466	932	46 60
51	William A Munnell	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Hollibaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Charles W Lyon	Beverly Hills, Los Angeles County	447	81	--	455	910	45 50
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	Patrick D McGee	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W. Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Carley V Porter	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Herbert R. Klocksiem	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Stanford C Shaw	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	L Stewart Hinckley	Redlands San Bernardino County	508	9	--	517	1 034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside, Rivers de County	512	--	--	512	1,024	51 20
77	George R Butters	Brawley, Imperial County	661	--	14	647	1 294	64 70
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T. Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Ralph R Cloyed	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

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

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 18

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

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

Commencing Monday, January 8, 1951	*Per day*
Chief Clerk, Arthur A. Ohnimus	$25.00
Minute Clerk, Geraldine B. Hadsell	15.00
Sergeant-at-Arms, Wilkie Ogg	15.00
Chaplain, Rev. Clarence A. Kircher	5.00
Assistant Chief Clerk, Harold F. Lewright	15.00
Engrossing-Enrolling Clerk, Charles W. Robbins	14.00
History Clerk, Ethel E. Brockelbank	13 00
File Clerk, Ruth Riley	12 00
Assistant Clerk, John R. Wendt	12.00
Assistant Clerk, Paul F. Crum	12.00
Assistant Clerk	12 00
Journal Clerk, Walter W. Feeley	12 00
Assistant at Desk, William J. Greene	11.00
Chief Assistant-Sergeant-at-Arms, Andrew J. Cecchettini	13.00

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 18, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey,

Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—69.

NOES—None.

ANNOUNCEMENT

Mr. Beck announced a Democratic luncheon meeting and Caucus in the Hotel Sacramento, immediately upon recess.

RECESS

At 12.45 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

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

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

Assembly Bill No. 190: By Mr. Conrad—An act to add Section 250.1 to the Vehicle Code, relating to chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 191: By Mr. Conrad—An act to amend Section 2828 of the Elections Code, relating to removal of members of state and county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 192: By Mr. Conrad—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 193: By Mr. Conrad—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 194: By Mr. Conrad—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 195: By Mr. Conrad—An act to amend Section 2540 of the Elections Code, relating to qualified political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 196: By Mr. Conrad—An act to amend Sections 7964 and 7971 of the Elections Code, relating to canvass.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 197: By Mr. Conrad—An act to amend Section 7964.5 of the Elections Code, relating to canvass.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 198: By Mr. Conrad—An act to amend Sections 8001, 8002, 8003, 8004, 8005, and 8008 of the Elections Code, relating to recount of ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 199: By Mr. Conrad—An act to amend Sections 8137, 8140, and 10552, and to repeal Sections 8138 and 8139 of the Elections Code, relating to proceedings after announcement of election returns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 200: By Mr. Conrad—An act to amend Section 9050 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 201: By Mr. Conrad—An act to amend Sections 1801, 1802, and 1834 of the Education Code, relating to time of election of school trustees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 202: By Mr. Conrad—An act to amend Section 32002.2 of the Health and Safety Code, relating to elections in hospital districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 203: By Mr. Conrad—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names and providing for due notification by the cities effecting such changes to the county clerk and county surveyor of the county in which the city is situated.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 204: By Mr. Conrad—An act to amend Sections 19090, 19091, 19092, 19094, and 19250 of the Streets and Highways Code, relating to calling and conducting elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 205: By Mr. Conrad—An act to amend Section 2707 of the Elections Code, relating to publications.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 206: By Messrs. Hahn and Morris—An act to amend Section 420 of, and to add Section 429.6 to, the Fish and Game Code, relating to sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 207: By Mr. Hahn—An act to amend Sections 2574, 2576, 2111, 2152, 2155, 2301, 2350, 2353, and 2402 of the Elections Code, relating to forms pertaining to primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 208: By Mr. Hahn—An act to amend Sections 2571 and 2573 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 209: By Mr. Hahn—An act to amend Section 2454 and repeal Sections 2455, 2456, 2457, 2458, and 2459 of the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 210: By Mr. Smith—An act to amend Section 27 of the Probate Code, relating to testamentary disposition.

Referred to Committee on Judiciary.

Assembly Bill No. 211: By Mr. Maloney—An act to amend Section 44.2 of the Unemployment Insurance Act relating to unemployment and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 212: By Messrs. Rosenthal, Burke, and Grant —An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 213: By Messrs. Rosenthal, Hahn, Smith, Burke, Burkhalter, Evans, Grant, Hawkins, Lipscomb, McGee, Morris, Munnell, and Waters—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks.

Referred to Committee on Judiciary.

Assembly Bill No. 214: By Messrs. Rosenthal, Smith, Hahn, Burke, Burkhalter, Evans, Grant, Hawkins, Lipscomb, McGee, Morris, Munnell, and Waters—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 215: By Messrs. Rosenthal, Smith, Hahn, Burke, Burkhalter, Evans, Grant, Hawkins, Lipscomb, McGee, Morris, Munnell, and Waters—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 216: By Messrs. Rosenthal, Smith, Hahn, Burke, Burkhalter, Evans, Grant, Hawkins, Lipscomb, McGee, Morris, Munnell, and Waters—An act to amend Section 1744 of the Code of

Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 217: By Mr. Rosenthal—An act to add Section 840.5 to the Penal Code, relating to arrests for misdemeanors.

Referred to Committee on Judiciary.

Assembly Bill No. 218: By Mr. Rosenthal—An act to direct the establishment and functioning of a judicial district consisting of the Cities of Los Angeles and San Fernando.

Referred to Committee on Judiciary.

Assembly Bill No. 219: By Mr. Rosenthal—An act to add Sections 471, 481, and 491 to the Government Code, relating to districting the State for the purposes of legislative representation in the Legislature and Congress.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 220: By Mr. Crowley, Mrs. Niehouse, and Mr. Burkhalter—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 221: By Messrs. Crowley, Levering, Mrs. Niehouse, Messrs. Lipscomb, and Burkhalter—An act to amend Sections 19601 and to repeal Section 19613.5 of the Education Code, relating to child care centers, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 222: By Mr. Levering—An act to amend Section 5007 of the Education Code, relating to the investment of school district funds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 223: By Mr. Levering—An act to amend Section 18478 of the Education Code, relating to change of location of a high school.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 224: By Mr. Hahn—An act relating to the use of state-owned property.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 225: By Mr. Hawkins—An act to amend Section 5902 of the Elections Code, relating to the duty of the clerk in absent voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 226: By Mr. Hawkins—An act to amend Section 5932 and repeal Sections 5935, 5936, 5937, 5940, 5941, and 5942 of the Elections Code, relating to absent voting at municipal elections in cities of the fifth and sixth class.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 227: By Mr. Hawkins—An act to repeal Sections 5935, 5936, 5937, 5940, 5941, and 5942 of the Elections Code, relating to absent voting at municipal elections in cities of the fifth and sixth class.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 228: By Mr. Hawkins—An act to amend Section 9750 of the Elections Code, relating to notice of elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 229: By Mr. Hawkins—An act to amend Sections 5565 and 5724 of the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 230: By Mr. Waters—An act to add Section 481 of the Government Code, relating to senatorial districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 231: By Messrs. Moss and Fleury—An act to amend Section 1659 of the Insurance Code, relating to the qualifications of agents, brokers and solicitors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 232: By Mr. Morris—An act to amend Section 690.2 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 233: By Messrs. Maloney and Dolwig—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Referred to Committee on Agriculture.

Assembly Bill No. 234: By Mr. Fleury—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker Sam L. Collins announced that when members tear the code number from preprint bills, the Printer, who has the type set for immediate printing of the bill, is unable to locate it, and requested, in the interest of time, that, in the future, members refrain from removing the code numbers from preprinted bills.

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

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

Assembly Joint Resolution No. 1: By Messrs. Maloney, Waters, and Lanterman—Relative to aid to our enemy.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 3: By Mr. Burkhalter—Relative to approving four certain amendments to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 4: By Mr. McCollister—Relative to the creation of the Joint Legislative Committee on the Golden Gate Bridge and Highway District.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 5: By Mr. McCollister—Relative to a study to be made by the Department of Public Works.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 6: By Messrs. Maloney and Sam L. Collins—Relative to the selection of the Legislative Counsel of California.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 3: By Mr. McCollister—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislative Department.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 4: By Mr. McCollister—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 1d, relating to the exemption from taxation of the property of veterans' organizations.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 5: By Mr. Stanley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 17 to Article XVI thereof, relating to the issuance of bonds to provide a fund for the purchase of revenue bonds issued by counties, cities, districts, municipal corporations, political subdivisions, public corporations, or other public agencies of the State, or combination of such agencies.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 6: By Mr. Conrad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Section 1 of Article IV thereof a new paragraph, relating to initiative and referendum petitions.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 7: By Mr. McCollister—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1¼ of Article XIII, relating to exemptions of property on account of military service.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Lowrey, Lindsay, and Sherwin:

House Resolution No. 19

Relative to the continuance of the Assembly Committee on Public Lands

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

1. The Assembly Committee on Public Lands created by House Resolution No. 121 of the 1949 Regular Session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

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

4. The committee, and any subcommittee thereof when so authorized by the committee, may meet and travel without as well as within the State of California in the performance of its duties.

5. The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

By Messrs. Levering, Lanterman, McGee, and Morris:

House Resolution No. 20

Relating to privileges of the floor of the Assembly

WHEREAS, The Armed Forces of the United States as a part of the forces of the United Nations, are now engaged in conflict with Communist forces in Korea; and

WHEREAS, To grant privileges to those who are dedicated to the principles of Communism would be a great injustice to our men who fight our cause in Korea; now, therefore, be it

Resolved by the Assembly of the State of California, That no member of the Communist Party, no reporter or representative of the People's Daily World or Daily Worker or any Communist or Communist line press service, periodical, or publication, and no representative of a country which is an enemy of the United States or the United Nations shall be granted the privileges of the floor of the Assembly.

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

By Messrs. Elliott, Kilpatrick, and George D. Collins:

House Resolution No. 21

WHEREAS, A distinguished American general is reputed to have expressed the recommendation that draftees into military service or selective training service for the defense of the Nation receive little or no payment for these services in the Armed Forces or in a military preparedness program; and

WHEREAS, While the Assembly of the State of California holds this eminent general in the highest esteem as one of our great military leaders of World War II and an important figure in the present world crisis, it is in complete disagreement with this proposal of his because it feels it is unsound and unjust; and

WHEREAS, This proposal not to pay draftees, or to give them a smaller pay than they now receive, would have a detrimental effect on the morale of new young members of the Armed Forces and might lessen the efficiency of national defense as well as be unfair to the person brought into the service of his Country; and

WHEREAS, The draftee or selectee should, in the opinion of this body, receive compensation for his service in the Armed Forces in accordance with the present policy of making such compensation as fair and generous as the Nation's financial conditions permit; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby expresses its disapproval of this proposal and respectfully memorializes the Congress of the United States to continue the policy of providing compensation for persons in the Armed Forces, whether draftees or volunteers, which is as fair and generous as financial conditions of the Nation permit and to maintain the same pay rates for all draftees and selectees regardless of age; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the Honorable Members of the United States Senate from California and to the Honorable Members of the House of Representatives from the State of California

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

By Messrs. Fleury, Maloney, and Moss:

House Resolution No. 22

Relating to adjournment in respect to the memory of Jess Hession

WHEREAS, The Members of the Legislature were profoundly shocked to learn of the death of Jess Hession in his home at San Mateo on December 12, 1950; and

WHEREAS, Jess had served the State of California for 20 years as Deputy Attorney General, and Deputy Director of Finance, and while performing his public functions, had devoted much of his spare time to the civic and fraternal life of the community, accumulating a vast host of friends both within and without state service, all of whom unite with the Members of the Legislature in mourning the loss of a dear personal friend; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their sorrow at the death of this man who had served this State so well and been a close personal friend to so many; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution as an expression of the Assembly of California to his surviving wife, Mrs. Mabel Hession, and to his sons Dennis Hession and Jess Hession, Jr.; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Jess Hession.

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

By Mr. Dolwig:

House Resolution No. 23

Relative to the adoption of the Permanent Standing Rules of the Assembly for the 1951 Regular Session

Resolved by the Assembly of the State of California, That the following be, and same are, hereby adopted as the Permanent Standing Rules of the Assembly for the 1951 Regular Session.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1951 REGULAR SESSION

SECTION 1

LEGISLATIVE ORGANIZATION

Assignment of Desks to Members

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

Hours of Meeting

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

Following the constitutional recess, the Assembly shall meet promptly at 9.30 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

RULES

Adoption of Standing Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rules

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

Parliamentary Rules

7. In all cases not provided for by the Constitution, by the Assembly Rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual of Legislative Procedure.

STANDING COMMITTEES

Standing Committees

8. For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

A. LEGISLATURE:

Two committees to consider legislative organization, functions and procedure:

Committee on Rules

There is a Committee on Rules, No. 1, which shall act as an executive committee of the House having the following powers:

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

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers.

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

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committees.

Twenty- ~~five~~ *three* standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules.
2. Legislative Procedure.
3. Conservation, Planning, and Public Works.
4. Fish and Game.
5. Governmental Efficiency and Economy.
6. Revenue and Taxation.
7. Ways and Means.
8. Education.
9. ~~Crime and Correction~~ *Boards and Commissions*.

~~10. Public Morals~~

~~11~~ *10*. Public Health.
~~12~~ *11*. Social Welfare.
~~13~~ *12*. Civil Service and State Personnel.
~~14~~ *13*. Military Affairs.
~~15~~ *14*. Municipal and County Government.
~~16~~ *15*. Elections and Reapportionment.
~~17~~ *16*. Judiciary.
~~18~~ *17*. Constitutional Amendments.
~~19~~ *18*. Agriculture.
~~20. Livestock and Dairies.~~
~~21~~ *19*. Public Utilities and Corporations.
~~22~~ *20*. Manufacturing, Oil, and Mining Industry.
~~23~~ *21*. Industrial Relations.
~~24~~ *22*. Finance and Insurance.
~~25~~ *23*. Transportation and Commerce.

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

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

Motions to Change Membership or Numbers of Standing Committees

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

SECTION 2

HOUSE FUNCTIONS

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

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

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

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

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

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

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

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

Duties of the Speaker pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly may mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form After their receipt, all such communications shall be delivered to the Chairman of

the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or the Chairman of the Committee on Rules.

12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended by Assembly Bill No. 74 of this session, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Duties of the Chief Assistant Sergeant-at-Arms

13.5. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

Printing

Authority for Printing

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

Printing Style, Form, and Amount to Be Printed

15. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the

Speaker or the Chairman of the Committee on Rules. All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules.

Printing Assembly History

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

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

Printing of Maps

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

Miscellaneous

Admission to Assembly Chamber

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the Balcony shall be reserved for those holding guest cards; provided, that none of the above-mentioned persons in this rule shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION *

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

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

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

The committee shall consist of five Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative Auditor as executive secretary of this committee to act without compensation.

Smoking in Assembly Chamber

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

Fees for Witnesses

23. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear and the sum of five and one-half cents ($0 05½) for each mile he shall travel in coming to and going from the place of examination.

Press Privileges

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

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

* Old Rule 21 deleted

SECTION 3

LEGISLATIVE PROCEDURE

Speaker to Call Assembly to Order

25. The Speaker, or in his absence the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

The functions of the temporary chairman shall terminate upon return of the Speaker or Speaker pro Tempore.

Roll Call and Quorum

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

Order of Business

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

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

Pledging Allegiance to the Flag

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

Reading, Correcting, and Approving Journals

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

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

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

Presentation of Petitions

30. Whenever petitions, memorials, or other papers are presented by a member, a brief statement of the contents thereof may be made

verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered on the Journal.

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

Messages From the Governor

31. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

Messages From the Senate

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

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

Bills

Bills Defined

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

Introduction and Reference of Bills

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

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

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

Reference of Bills to Committee

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

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

Examining of Bills by Legislative Counsel Bureau

36. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule.

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

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

Introduction of Bills After Constitutional Recess

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

During the portion of the session prior to the constitutional recess and after the end of the second week following the convening of the session, no Member of the Assembly shall introduce any bill, other than the Budget Bill, at the request of or on behalf of any state officer, department, board, bureau, or commission, without first obtaining permission to do so. Any member who desires to introduce such a bill after the end of the second week of the session shall send it to the Clerk's desk, accompanied by a written request for permission to introduce it. The bill may be introduced only after the adoption of a motion by the Assembly that permission be granted to the member to do so. The adoption of such a motion shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

Standing Committee Functions

Standing Committee Rules

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

A majority of the committee members present may order a call of the committee.

Meetings of Standing Committees

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

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

Committee Quorum

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

Bills Reported Back to Assembly

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

Reports of Committees

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

Signing Bills Out of Committee

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

Committee of the Whole

44. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole

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

Committee on Ways and Means

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

Committee Expenditures

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

Reports of Interim Committees

47. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth day after the convening thereof.

Effect of Adoption of These Rules

47.5. The adoption of the Standing Rules of ~~the 1950 Regular~~ *a budget* session shall not be construed as modifying or rescinding the Permanent Standing Rules of the Assembly for the ~~1949 Regular~~ *preceding general* session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

Passage of Bills

Daily File

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

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

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

Inactive File

48.5. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

Record of Bills

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

52. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate an extra copy of the proposed amendment must be delivered to the Clerk's desk and made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Bills Considered During Period Prior to Final Adjournment

55.5. See Joint Rule 23 for provisions governing bills considered during this period.

Concurrence in Senate Amendments

56. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative

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

Nonconcurrence in Senate Amendments

57. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a Committee of Three (3) on Conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

Committee on Conference

58. The Speaker, in appointing a Committee on Conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

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

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

Engrossing and Enrolling Bills

60. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

Enrollment

61. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Section 9508 and 9509 of the Government Code The Committee on Legislative Procedure shall report both the day and the hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

SECTION 4

PARLIAMENTARY PROCEDURE

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

63. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 62 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

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

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

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

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

Speaker Explains Order of Business

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

68. A motion to lay on the table is not debatable and cannot be amended.

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

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

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

The Previous Question

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

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 68.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Constitution of Motions

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

Division of Questions

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

Withdrawal of Motions

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

Motion to Be Germane

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

Motion to Withdraw and Recall Bills

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

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

Bills Stricken From the File

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

Motion to Rescind Action and Expunge Record

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

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

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

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

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

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

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

Call of Assembly

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

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

Resolutions

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

Motions and Resolutions

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

Adjournment

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

Members' Decorum and Privileges

Order in Speaking to Questions

89. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

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

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Members Called to Order for Transgressing Rules

93. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

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

Members Voting

94. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

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

Ayes and Noes

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

Voting Not to Be Interrupted

96. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of

the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

Members at Clerk's Desk

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

Tie Vote

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

"Two-thirds of the Entire Elected Membership" Defined

99. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

100. Pursuant to the powers vested in the Assembly Committee on Rules or the Assembly Legislative Process Committee, and during such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution read, and ordered held at the desk.

By Mr. Hahn:

House Resolution No. 24

Relative to televising university athletic contests

WHEREAS, The University of California is supported by public funds; and

WHEREAS, The people of the State, who provide such funds, are justifiably proud of the university and of the part they play in supporting it; and

WHEREAS, The people are therefore keenly interested in the athletic program of the university, and justifiably regard its athletic teams as representatives of not only the university, but also the people of this State; and

WHEREAS, This feeling has caused large numbers of citizens of this State to make substantial investments in television sets in order that they might follow more closely the athletic contests in which the university participates; and

WHEREAS, It appears that the Pacific Coast Conference, of which the university is a member, is considering the adoption of a rule which will prohibit the televising of athletic contests participated in by its members; and

WHEREAS, Such rule, if adopted, would deprive the citizens of this State who have invested in television sets and who are unable to secure tickets or to attend such contests, of the right to follow the activities of the teams of the university which they support; now, therefore, be it

Resolved by the Assembly of the State of California, That the Regents of the University of California be, and they are hereby requested, to take such action as is necessary to insure that the athletic teams of the university will not participate in any contest which may not, under the terms of any rule, contract or agreement, be televised; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to each member of the Board of Regents of the University of California, to the President of the University and to the Associated Students of the University of California.

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

By Mr. Maloney:

House Resolution No. 25

Relating to the preparation of the Legislative Digest and Interim Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel is hereby directed to prepare a Legislative Digest and Interim Subject List of all bills, constitutional amendments, and resolutions introduced in the January portion of the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of said publications be mailed to the Members of the Legislature as soon as possible after the printing thereof; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to cause to be printed, not to exceed 2,500 copies of the Legislative Digest and Interim Subject List for the 1951 Regular Session, or of each if they be published separately, the cost thereof to be payable from the legislative printing appropriation.

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

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

The following bill was introduced, and read the first time:

Assembly Bill No. 235: By Mr. Silliman—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 26

Relative to directing the Committee on Social Welfare to study the problem of support of needy children by stepfathers

Resolved by the Assembly of the State of California, That the Standing Committee on Social Welfare is directed to study the possibility and feasibility of imposing upon stepfathers an obligation to support their stepchildren in cases where such stepchildren are in receipt of aid to needy children, or are likely to become in need of aid to needy children.

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

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

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

Assembly Bill No. 236: By Mr. McCollister—An act to repeal Section 1507 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 237: By Mr. McCollister—An act to amend Section 118 of the Welfare and Institutions Code, relating to aid to needy children, in respect to confidential information.

Referred to Committee on Social Welfare.

Assembly Bill No. 238: By Mr. McCollister—An act to add Section 1531 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 239: By Mr. McCollister—An act to add Section 1552.1 to the Welfare and Institutions Code, relating to the payment of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 240: By Mr. McCollister—An act to amend Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, relating to aid to needy children, in respect to the amount of aid granted.

Referred to Committee on Social Welfare.

Assembly Bill No. 241: By Mr. McCollister—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 242: By Mr. Smith—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 15

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

DICKEY, Chairman

Above reported resolution ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 13

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

DICKEY, Chairman

Above reported resolution ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 12

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

DICKEY, Chairman

Above reported resolution ordered on file.

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

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

Assembly Bill No. 243: By Mr. Stanley—An act to amend Section 27285 of the Government Code, relating to the recording of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 244: By Mr. Stanley—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 245: By Mr. Fleury—An act to amend Section 4656.4 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 246: By Mr. Fleury—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657.6, inclusive) to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 247: By Mr. Fleury—An act to amend Sections 4653.8, 4656.8, and 4657 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 248: By Messrs. Coats and Hagen—An act to add Section 13.7 to the Construction and Employment Act, relating to allocations to counties for repair, restoration or repair and restoration of public works, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 249: By Messrs. Geddes and Dolwig—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 250: By Messrs. Geddes and Dolwig—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 251: By Messrs. Geddes and Dolwig—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 252: By Mr. Morris—An act to add Section 6.5 to the Business and Professions Code, relating to examination preference for disabled veterans.

Referred to Committee on Military Affairs.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 6, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Card

Daily People's World—Steve Murdock

Sincerely,

EARL C. BEHRENS, President

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Elections and Reapportionment, in Room 426.

Tomorrow, Wednesday, January 10th, at 10 a.m.—

Rules.

FIRST PRELIMINARY REPORT

by the

Assembly Interim Committee on Social Welfare

ON THE CHILD CARE CENTER PROGRAM

Members of the Committee

KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

NEWTON R. HOLCOMB, *Executive Secretary*

California Legislature
January, 1951

CHILD CARE CENTERS

OUTLINE OF REPORT

Letter of Transmittal

I. Findings and Recommendations

II. Child Care Centers Report
- A. Foreword
- B. Description of Program
- C. Need for Child Care Centers
- D. The Means Test
- E. Parent Fees
- F. General Information

III. Public Hearings and Committee Study

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE
December 13, 1950

The Honorable Sam L. Collins, Speaker of the Assembly, and
The Honorable Members of the Assembly
California Legislature, Sacramento 14, Cal.

GENTLEMEN: Attached is the report of this committee covering the child care center program, prepared in accordance with House Resolution No. 71, 1950, Second Extraordinary Session.

In this report the committee makes a number of recommendations concerning the child care centers program, including the following basic ones:

1. That legislation be enacted to establish the program on a more permanent basis for the biennium 1951-53;
2. That appropriations be provided to enable continuation of the present program at approximately its current capacity.

Present laws provide for the termination of state support for the child care center program on February 15, 1951. Consistent with the other recommendations of this committee, we are recommending urgency legislation to continue the program between February 15th and July 1st, 1951.

Immediate action is required to extend the program beyond February 15th. The law requires that 30 days notice be given parents of the closing of centers. Early and positive legislative action will avoid a complete disruption of the program and give assurances to the parents using the centers of the continuation of these services.

Respectfully submitted,

KATHRYN T. NIEHOUSE, *Chairman*
Assembly Interim Committee on Social Welfare

CHILD CARE CENTERS

I. FINDINGS AND RECOMMENDATIONS

1. Need for Child Care Centers

Child care centers exist primarily because of the need for mothers to work, either as the sole support of their families or to augment other family income. They serve a dual purpose—to provide for the proper care and supervision of children while parents are working, and to enable families to remain self-supporting by freeing the parent of supervision of children during usual working hours.

In the one-parent families, the mother or other parent must work in order to support the family. The only alternative many of these families may have is to rely upon assistance available under the social welfare programs.

Families in which there are both parents are frequently self-supporting only if both parents can work. The combination of lack of occupational skills and resultant low earnings and high costs of living make it necessary that both parents take employment In other families, illness of one parent necessitates full-time work of the other

The needs of industry are frequently such that it is in the public interest that mothers be employed. This was evidenced particularly during the war-time manpower shortages and is normally present in seasonal agricultural labor requirements.

Child care facilities available through nonprofit organizations, or operated on a profit basis, cannot meet the needs of families of the State While there are a number of nurseries and other centers operated by private organizations with good standards of care and relatively low fees because of the subsidization of these centers by Community Chest funds, religious organizations, etc., they cannot begin to meet the total community need. These centers have waiting lists of their own even though the enrollment in the public centers exceeds that of these privately operated centers.

Other types of child care facilities that may meet proper standards for the protection of the children are not available to lower income families because of the cost of care or do not provide care over sufficient hours of the day to enable working parents to utilize them.

Recommendation

1 That publicly supported child care centers be continued, to meet the needs of children and their parents in all sections of the State.

2. That urgency legislation be enacted to extend the present program through making a supplemental appropriation to cover its costs from February 15 to June 30, 1951.

2. Is Continued State Financing Justified?

A determination as to whether continued state financing is justified needs evaluation of the relative possibilities of meeting known needs through the financial support of the local units of government or from other sources.

A number of school district and county representatives testified to the committee that they could not finance operation of the centers

from local tax sources and would not be in a position to carry the centers on after February 15, 1951, if the State discontinued its financial support.

Representatives of certain community welfare councils testified that no plans were being made by community chest supported agencies for taking over the program should state financing be terminated.

Whether or not local governments are financially able to carry this program on is not within the province of this committee to determine. There may be demonstrated here an unwillingness as well as an inability to meet the needs on a local basis.

It is our opinion that the county governments or the school districts or both would not continue most of the centers on a locally financed basis despite the demonstration of need. Being concerned with the welfare of the families involved and the implications to the State as a whole of inadequate care of these young children, the committee necessarily favors continuation of state financial support to insure continued operation of the centers.

Should state support be discontinued, it may be that many of the families now using the centers will become applicants for public assistance. Should a large number of these families be forced to do so, the State and the counties (and primarily the State) would pay a large portion of the current costs of the day care center program through increased social welfare expenditures. Simultaneously the State would lose tax revenues involved in the present income of these families.

Recommendation

That state financial support for the child care center program be retained on a basis to enable continued operation of existing centers.

Local governmental units (counties and school districts) should be encouraged to supplement state funds available to them in order to meet the needs for expansion of centers on a local basis.

3. Eligibility for Use of Child Care Centers

The primary purpose of the child care centers has been to provide a means for low-income parents to continue to support their families by enabling them to use well-operated facilities for caring for children during working hours. The special consideration provided certain groups such as veterans, teachers, and nurses has been based upon other than the economic needs of families.

The primary eligibility test should be based on economic circumstances. Special treatment of certain groups or families not in the lower income groups should be considered only upon a clear showing of the justification for governmental subsidy to such families.

The present means test provides a rough measure of the financial ability of families to provide suitable day care for their children. It is deficient in certain respects, particularly in that it has not been adjusted for changes in purchasing power. It is not realistic in measuring the relative income needs of the very small families, or in the requirements of the smaller numbered one- and two-parent families with the same number of persons in the family unit.

Any fixed income limits are necessarily arbitrary and are designed to fit the majority of families only. Actual need is better measured by a complete analysis of family circumstances, including the unusual

requirements that some families have, and the establishment of the means test on the basis of the needs of the individual families. However, this process requires considerable skilled personnel to evaluate family situations and to arrive at minimum budgets for individual families. While this might be more equitable, and a better means of measuring eligibility on the basis of individual family requirements, it must be weighed against the facility and relative simplicity administratively of a fixed schedule of earnings, with perhaps some provision for special consideration in hardship cases. For the great majority of families, the objectives of the program can be realized through using fixed income limitations if these have a sound basis and are flexible in terms of changing costs of living.

A more equitable method would be through determining eligibility on the basis of ability to pay through a fee schedule directly related to cost of living standards for various sized families. This would require considerable study to reconcile variations in present basic living cost studies such as those represented by the U. S. Bureau of Labor Statistics City Worker's Family Budget, the Heller Committee budget studies in the San Francisco area, and the Haynes Foundation studies in the Los Angeles area, and to arrive at an acceptable basic standard for state-wide application. It would also introduce a number of administrative complications, particularly in gearing the fee schedule to the basic income standards so that the fees would represent that amount of income considered in exceess of actual family living requirements.

Under this method, eligibility would be determined by the fee the family was able to pay. When this equaled total cost of care, it would be presumed that the family could make arrangements for such care outside the state program. It would have the advantage of establishing fees on an ability to pay basis, with direct correlation between fees, income, and living requirements as determined by the standards established. It would remove the present arbitrary limits on income which are not necessarily a good measure as to family needs for child care services.

However, intensive study of family living requirements as well as the basis for establishing such a progressive fee schedule and its cost effects on total parent participation would be required before specific recommendations for such a method could be made. In the meantime it is feasible to use the present basic eligibility factors, adjusted to remove fundamental defects.

The Legislature has established the amount of $225 for a one-parent family and $275 for a two-parent family as the income levels representing presumptive economic need for child care services. This applies to the smaller families. For the larger ones, the yardstick of $60 per person has been established. Thus the present means test schedule is as follows:

	One-parent family	*Two-parent family*
2 persons	$225	----
3 persons	225	$275
4 persons	240	275
5 persons	300	300
6 persons	360	360

The schedule is not based upon actual income requirements of various sized families. No distinction is made in the needs of two and three person one-parent families and the three and four person two-parent

families. Only $15 is allowed for the fourth person in the one-parent family, and $25 for the fifth person in the two-parent family although $60 per person is allowed above those numbers.

The schedule was established in 1947. Adjusted to 1950 living cost changes (July) the amount of $225 should be raised to $245 and the $275 amount to $300.

The "means test" figures represent the upper-income limits for the various sized families for purposes of determining eligibility. They have been established separate and apart from the fee schedules themselves. They do, however, reflect a determination of the income level considered necessary to provide for a basic standard of living.

Since the purchasing power of the dollar has changed since these limits were established, the amounts should be adjusted to conform to current living costs.

The limits should be made more realistic by establishing them for the smallest sized family concerned and adjusting for additional family members. The two-member, one-parent family is the smallest unit. The $225 already established, adjusted to living cost changes, would provide a practical base for determining eligibility.

Adjustments for additional family members are now based on a $60 amount, applicable however, only to larger families. Such studies as those of the Bureau of Labor Statistics show that this basis for adjustment for additional family members is not sound. The city worker's budget established for Los Angeles and San Francisco were based on families of four persons, with one wage-earner. The guide determined by the Bureau of Labor Statistics for adjusting for various sized families was to apply 65 percent for the two-person family; 84 percent for the three-member family; and 114 percent for the five-member family, based on the standard four-member family for which the budget was established.

After adjusting the city worker budgets for Los Angeles and San Francisco to 1950 prices, and applying the percentages indicated for various sized families, the difference in income requirements between the families is approximately as follows:

For third person in family	$55
For fourth person in family	45
For fifth person in family	40
Additional members in family	40

Using the $225 amount already established by the Legislature as a base, it is possible to work out a new simplified schedule for the purpose of eligibility, taking into account cost of living changes and numbers of persons in the family, as follows:

Number persons in family	*Income limit*
2	$245
3	300
4	345
5	385

This would provide a more realistic maximum limit on income as a condition of eligibility for use of the centers. It could be applied to all families, both two-parent and one-parent.

Comparison of these schedules with the present means test limits is as follows:

	One-parent families		*Two-parent families*	
No. persons	*Present*	*Adjusted*	*Present*	*Adjusted*
2	$225	$245	--	--
3	225	300	$275	$300
4	240	345	275	345
5	300	385	300	385

The incomes represented by the adjusted schedule would be maximums for purpose of eligibility. Section 19607 of the code establishes the policy of the Legislature that the child care centers shall be made available first to those who have the greatest financial need. Thus the administrative agencies would be required to apply priorities in acceptance of applications so that the lower income families would have first opportunity to use the centers.

"Take-home" vs. Gross Income

Several witnesses recommended that the income limitations be based on take-home pay rather than gross pay since the actual take-home pay is what the family has for living expenses. This would be feasible if the program were administered on the basis of careful budgeting of family requirements, involving a social work investigation. However, it would complicate determination of eligibility, increasing administrative costs of the program, because of the difficulties in determining take-home pay in many instances. While deductions for taxes and social security are readily identifiable from pay envelopes, other expenses incident to the obtaining of income may be difficult to determine.

Recommendation

1. That the present basis for determining eligibility of families for use of the centers be adjusted to recognize cost of living changes since 1947, and to provide a direct relationship between the maximum income limitations and the number of persons in the family in the manner outlined in this report, gross income being used to determine eligibility.

4. Exemptions From Income Means Test

Exemptions of certain groups of parents from the means test have been established either on the basis of occupational shortages in certain selected professions or to enable veterans with families to take full advantage of those benefits enabling them to secure special instruction or training.

These exemptions necessarily involve some discrimination. For example teachers and nurses are excepted from the income test, but parents in other professions are not. They also account for some criticism of the program on the basis that selected groups of parents are favored.

All parents should have equal access to the centers without respect to occupation or other special status. The primary purpose of the centers is to enable low income families to continue being self-supporting through employment of the sole parent, or both parents.

A. Student Veterans' Exemption From Means Test

The purpose of the present provisions for exempting student veterans from the means test is to enable them to take advantage of the educational opportunities offered them by the government in recognition of their military services.

Under present law or regulations no minimum limitations are placed upon the period of attendance at school or other types of training involved. The intent would appear to be that full-time attendance is the basis for justification of exemption from the means test. It is possible, however, for veterans to qualify under the exemption from the means test by attending school for very short periods of time and having full-time employment.

The exemption covers the student veteran only so long as attendance at school or participation in an approved training program is covered by the applicable national and state laws. The period for securing benefits under the Servicemen's Readjustment Act might expire before the veteran had actually completed the course of study for which such benefits were authorized. It would seem reasonable to permit continuation of such education under the exemption from the means test until the course of study engaged in under the Servicemen's Readjustment Act were completed, with perhaps a time limit of one year.

At present about 48 percent of student veteran families could qualify under the means test. Under the proposed adjustment of the maximum income limits, approximately 75 percent of these student veteran families could qualify without special exemption.

B. Registered Nurses

There was no testimony before the committee relative to the exemption from the income test applicable to registered nurses. The bulletin of the State Department of Education concerning eligibility for use of the centers does not establish any criteria or guidance for determination of conditions under which services of registered nurses are to be considered "necessary."

Incomes in 64 percent of the one-parent, and about 34 percent of the two-parent families exempted from the means test because the applicant parent is a registered nurse would be within the present means test limit. Those proportions would increase under adjustments of the means test recommended in this report.

The committee does not believe that there are conditions that make it desirable to single out registered nurses as an occupational group for which special concessions should be made in a permanent child care center program. It is recognized, however, that the unsettled international situation and increasing demands of the armed forces for nurses may result in emergencies such as those prevailing during World War II.

C. Teachers

While there was testimony before the committee to the effect that a shortage of qualified teachers continues, it was also indicated that shortages are primarily in the rural areas and that salary competition between the school districts of the State may have some bearing on shortages of teachers in certain areas It is noted that 13,409 emergency credentials were issued in the 1949-1950 Fiscal Year

About one-third of the teacher one-parent families could qualify for use of the centers under the present income means test. Only 22 percent of the two-parent families could meet the income limitations. Even under the recommended adjustment of the means test the effect of placing teachers on the same basis as other occupational groups, and subject to the means test, would be to render ineligible the majority of those in two-parent families and about one-fourth of the one-parent families.

D. Parents Employed in Agricultural Emergencies

In actual practice, the necessity of providing child care facilities for parents employed to meet an emergency arising from the necessity of harvesting or processing crops does not appear to have arisen. At any event none of the factual data obtained by the committee indicates the actual operation of this particular exemption from the income test.

There are, however, demonstrations of need for child care centers in rural areas on a seasonal basis, primarily for protection of the children of agricultural workers.

Unless centers were already established in the particular areas affected, it is difficult to conceive of action being taken to establish on short notice centers to meet emergency situations. The centers that are operating in cities in agricultural counties are, like the others, enrolled to capacity.

There appears to be a real need for establishment of centers in rural areas and particularly in relation to periods of seasonal peak employment. However, there is not available data as to the exact areas of need or the numbers of children who might be involved if centers were established.

Without closing down or curtailing existing centers, the needs of agricultural areas cannot be recognized. If rural areas are to have an opportunity to participate in the program, it must be expanded to meet the needs of those areas.

In certain respects some experimentation would be necessary, to determine the actual needs of rural areas as well as the types or location of centers that should be established. There is little precedent for this type of program although there has been some experience with it in New York State under which the growers provide the buildings and the state pays 85 percent and the growers 15 percent of the cost of operation. Parent fees are 25 cents a day for the first child and 20 cents for additional children using the centers.

Because of the limited information available, which can be obtained only through actual experience with the program, it is not feasible to attempt to make specific recommendations as to the establishment and conduct of rural centers.

E. Families of Service Personnel

A new need has arisen in recent months because of the international situation. Fathers are being drafted or returned to active duty with the armed forces and the mothers in these service families are forced to secure employment to supplement family allowances.

In administration of the means test, the base pay, plus allowances, plus subsistence of service personnel is considered income. However, all of this income is not available to the family for its support.

Testimony before the committee has shown that many of these families' applications for use of the centers are being rejected because the mothers' wages added to the total income of the parent in service causes gross income to exceed the means test.

The committee is particularly sympathetic to the needs of these families. However, it must be recognized that the capacity of the child care center program is limited and that the establishment of additional groups exempted from the means test will increase demands for service in a program that is not currently meeting the existing demand.

Part of the problem of these families can be alleviated through adoption of the suggested revised ceiling on income on the basis of size of family and through counting as family income only that portion of the pay and allowances of the serviceman as can be reasonably expected to be available for support of the family.

F. Persons Employed in Defense Activities

The committee has repeatedly been requested to consider the needs of parents engaged in defense work. Some of these parents have been using the centers but incomes have increased beyond the eligibility limits due to longer hours of work or other factors. The increasing demand for employment of women has intensified the requests for child care center services.

This is the type of problem that was met during the war by the child care center program supported by federal funds under the Lanham Act. With the presently established centers already at capacity and with waiting lists, the needs of defense industry cannot be met without considerable expansion of the child care center program.

Since such defense industry needs are normally concentrated in particular areas, it may be that the answer to this problem is one that can be found through local community action.

There is no question that such families require child care center services such as are offered through the public program. However it is impossible to determine for how long a period this special need may exist. To meet the problem through the present program would require a considerably increased appropriation and undoubtedly special appropriation for the construction of additional physical facilities for the centers.

Technical eligibility for use of the centers could be accomplished for this group by raising the income limits. However any such action would need to be applicable to all other families.

Exemption from the means test for families engaged in defense work would be difficult to administer and would create additional demand for use of centers that the centers cannot meet without a greatly expanded appropriation. The determination of essentiality of industrial activity would create especially difficult administrative problems.

Recommendations

1. That exemptions from the means test for teachers and nurses be terminated, the income limitations to be adjusted upward as suggested in this report to provide a more realistic basis for application to all families.

2. That exemptions be continued for student veterans; and,

(a) That veterans receiving instruction under the Federal Servicemen's Readjustment Act of 1944, or under Article 2, Chapter 6, Division

of Military and Veterans Code of California, continue to be exempt from the means test only so long as such instruction is received on not less than a one-half time basis.

3. That no exemptions from the means test be provided on the basis of employment in so-called defense or war work.

Should requirements of the national preparedness program create labor shortages necessitating the recruitment of women on a scale comparable to that of World War II, it is possible that the Federal Government will establish a special program to make child care centers available as an inducement to employment in war industry. There is no need for legislative action at this time anticipating such a development. Appropriate action can be taken at a later date if necessary.

5. Parent Fees

Since the basic purpose of the program is to provide low-cost care facilities for children of working parents in the lower income groups, fee schedules should be based upon an ability-to-pay principle. The State is making available to certain families low-cost day care facilities for their children It is also subsidizing most of these families by providing this care at less than cost.

In general, it seems that the present fee schedule is somewhat high for the very low income families and not high enough for other income groups. Fees for lower income groups should be established at a minimum figure and progressively increased as sharply as possible with increased family income.

Fees for extended day care are lower than for nursery care for the same sized families with equal income, although in most instances families are not paying full cost of extended day care. The difference in fees reflects the difference in services, the extended day care group being provided care for less than half a day. However, despite the difference in services, to reduce the state subsidy involved, such rates should be raised insofar as is practicable so that these families pay a larger portion of the cost of care.

It is not practical that a fee schedule be established by law. Provisions in the present law providing that fees be based upon the ability of families to pay is sufficient. It is preferable that the administrative agency work out the details of an equitable fee system and have authority to adjust fees with changing conditions, to improve the schedule, or to meet budgetary requirements.

Approximately 30 percent of the total cost of operation of the centers in the 1949-50 Fiscal Year was borne by parent fees.

Recommendation

1. That the State Department of Education revise the present fee schedule for the purpose of increasing fees so that they reflect more closely ability-to-pay;

2. That fees charged for extended-day-care services should equal nursery center fees up to a point where the family pays full cost.

3. That the Legislature establish a policy that at least one-third of the total cost of the program be borne by parent fees.

6. Capacity of Program

Most persons testifying before the committee not only emphasized current need for the centers but recommended that actions be taken to make more families eligible for their use. Under the present appropriations, the capacity of the centers does not meet need and there is a large waiting list. Requests for establishment of centers in many communities have been denied because of inability to expand the program due to the appropriation limits.

Elimination of the exemptions granted teachers and nurses, as recommended by the committee would provide some relief.

The committee recognizes that there is a need justifying expansion of the program, both in those communities where centers are now operating and in other areas of the State where no centers have been established.

However, the needs in terms of this program must be weighed by the Legislature with the constantly increasing demands upon the State Treasury for other important public services. While recognizing an unmet need in this program and the positive social and economic values that are involved in it, the committee also recognizes that these needs must be considered in relation to those of other public functions.

Since many of the centers are already operating at capacity, an expansion of enrollment would undoubtedly necessitate capital expenditures to provide the housing and equipment necessary for the centers. With the population pressures on the schools and a large construction program under way to meet normal education needs, child care centers functioning on school property could not be expected to expand into other school facilities which are already overcrowded.

With these considerations in mind, the committee believes that the soundest approach at this time is to attempt to maintain enrollment at the existing levels even though it does not meet total need.

However, there should be maximum encouragement to the counties and school districts to provide their own funds, to supplement those of the State, to expand the capacity of the centers to meet local needs under the standards of eligibility established for the state program.

Recommendations

1. That an appropriation be made for the year to June 30, 1952, of an amount roughly equivalent to that for the 1948-1949 Fiscal Year, this appropriation to be considered as an amount, when added to parent fees, to provide a basic state-wide child care center program.

2. That the counties or the school districts or both be encouraged to provide funds to supplement those allocated by the State in order to better meet local needs.

7. Administrative Responsibility

Judged by testimony before the committee, the present arrangement for administration and supervision through the State Department of Education apparently meets with the approval of those using the centers and of the persons involved in their operation.

It was recommended to the committee that supervision be by the Department of Social Welfare. Administration of the program through the welfare departments would appear to raise a number of complications. Also the welfare departments themselves are overloaded with their regular functions and do not appear to be in a position to take over an additional responsibility such as would be involved in supervising the child care centers program.

Recommendation

That there be no change in the method of administering or operating responsibilities for the child care centers program.

Approved:

KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
*HAROLD K. LEVERING
*GLENARD P. LIPSCOMB

II. CHILD CARE CENTERS REPORT

(Report of Executive Secretary to Committee)

Foreword

Under existing legislation, the State will cease financial support of the child care centers on February 15, 1951. Unless there is new legislation it will be optional with the school districts or the counties to provide, either jointly or severally, for the continuance of the centers after February 15, 1951.

House Resolution No. 71, Second Extraordinary Session, 1950, provided that the Assembly Interim Committee on Social Welfare study problems of the social welfare and child care centers program and make recommendations to the Assembly at the Regular Session of 1951. Study of the child care centers program was thus only a portion of the total activity of the committee.

The committee has concerned itself primarily with the social and economic needs for the child care centers, how those needs may best be met, and with certain aspects of the eligibility requirements and the fee schedules established for the program. It has not attempted a detailed analysis of administration of the program, including cost factors, personnel, facilities, or quality of the program from either an educational or custodial point of view.

Three public hearings were held in larger population centers. Data presented by the operating agency have been analyzed. The committee is particularly indebted to Dr. Jessie Coles, Department of Home Economics, University of California, who made available the data she compiled in her study of a large sample of families using the centers in October, 1949, and who prepared a number of special tables at the request of the committee.

* I do not think there should be any exemptions whatsoever from the means test.

B. Description of Program

The present child care center program is partially an outgrowth of World War II. With federal aid such centers were established during the war with the dual purpose of attracting women into war work and to protect children against neglect when parents were working.

When the Federal Government withdrew support after the war, the State continued the program—beginning March 1, 1946. It has since continued on a year to year basis.

In July, 1947, an income "means test" and fee system based upon a sliding scale related to family income and size of family were introduced. The use of the centers was thus limited primarily to lower income families, exceptions being made in cases of working teachers, registered nurses, veterans attending school, and in agricultural emergencies.

Senate Bill No. 13, enacted April 27, 1950, limited use of state funds for the centers until February 15, 1951. The bill provided:

> "It is hereby declared by the Legislature * * * that such wartime emergency is rapidly disappearing so that the state support for child care centers will no longer be necessary after February 15, 1951."

It recognized probable continued need for such centers, stating:

> "* * * while in some communities there is still a need for child care centers, such need is a matter of local rather than state interest and therefore should be supported by the counties or the local school districts after February 15, 1951."

Children of working parents receive care and supervision during usual working hours. Children may be enrolled only if parents are employed, or are mentally or physically unable to assume responsibility for their care.

Eligible children (except those from certain classes of families) are confined to those from families where total income of the parents does not exceed $225 per month where one parent is working, or $275 per month where both the parents in the two-parent families ar employed, or where income is not greater than $60 per family member per month.

Seventy-nine (79%) percent of the 11,640 families using the centers in October, 1949, were those eligible on an income "means-test" basis. The other twenty-one (21%) percent represented specific groups exempted by law from the income test although not necessarily earning income in excess of that for families to which the means test applies.

Exception from income requirements is made for veterans attending school under the G.I. Bill, public school teachers and registered nurses where it is determined their services are necessary, and persons employed to meet an emergency arising from the necessity of harvesting or processing crops.

Centers are operated by the school districts under standards established by the Department of Education. Costs of operation are separate and apart from funds derived from district taxes or apportioned to districts for support of schools. Costs are met through apportionment of state appropriations and from fees collected from the parents.

Three types of centers are conducted—nursery for ages two to five; extended day care for before and after school care of school-age children; and combinations of the two. Opening and closing times are established to meet the needs of parents using the centers. Centers are on a five- or six-day week basis, dependent upon needs in individual areas. No night centers are now operated

Centers are concentrated in the urban areas, ninety (90%) percent of the enrollment being in the Counties of Los Angeles, Alameda, San Francisco, San Diego, and Contra Costa.

As of June 30, 1950, 293 centers were operated in 54 school districts in 22 counties. Average enrollment was 12,593 children during the fiscal year ended June 30, 1950. Peak enrollment during the year was 13,645. There were 2,273 parent applications reported on the waiting list as of November, 1949.

Fees are established on a sliding scale basis geared to the earnings and sizes of families For the last fiscal year, parent fees cover 31.51 percent of the total cost with the state subsidy of the centers equal to 68½ percent of the cost.

Total cost of providing care for the nursery-aged child was almost double that of the children in the extended day care centers. The cost of care for the child age two to five years was about $61 per month and for the older children about $33 per month.

Families Using the Centers

(NOTE: Statistics used herein are based upon the survey covering a random sample of 1,360 families of the total of 11,640 as of October, 1949, conducted by Dr. Jessie V. Coles, Department of Home Economics, University of California.)

Approximately 56 percent of the families using the centers are one-parent families and 44 percent are families in which both parents are working or one is incapacitated.

Total families, October, 1949—11,548

	1949	*1947*
One parent in home	54.6%	43.8%
Relative other than parent	1.5	1.0
Two parents in home	43.9	55.2

Of these families with children in the centers in October, 1949:

56.4 percent had children in nursery centers only;
31.0 percent had children in extended day care centers only;
12.6 percent had children in both types of centers.

Approximately two-thirds of the families had a single child in the centers. This was a smaller proportion than in 1947.

Percent of total families	*1949*	*1947*
1 child in centers	67.1	78.4
2 children in centers	27.8	19.2
3 children in centers	4.3	2.2
4 children in centers	.7	.2
5 children in centers	.1	.0

The average sized family was found to be 3.42 persons. Seventy-five percent of these families had two to four members (2 persons, 12.8 percent; 3 persons, 33.0 percent; 4 persons, 29.2 percent; 5 persons, 12.9 percent).

The medium income of families for Northern and Southern California was reported as:

	Northern California	*Southern California*	*All California*
One-parent family	$190	$175	$180
Two-parent family	270	260	265
All families	200	200	200

Income distribution of all families using the centers in October, 1949, was as follows:

Total monthly income	*All families*	*1-parent families*	*2-parent families*
To $199	45.1%	66.6%	18.3%
$200– 224	16.0	20.5	10.4
$225– 274	18.8	9.8	29 9
$275– 324	10.8	2 7	21.0
$325– 374	4.0	.3	8 7
$375– 424	2.1	.1	4.6
$425– 474	1.5	.0	3 2
$475– Over	1.7	.0	3.9

About twenty-one percent (21%) of the total families are those in which the applicant parent is a nurse, teacher, or student-veteran exempt from the income means test established in the law. The proportion of these groups is the heaviest in the two-parent families, accounting for about a third of this group. The great bulk of student-veteran families are in this category.

In the one-parent families those with incomes above $324, and in the two-parent families above $375, are primarily families of nurses, teachers, or student-veterans.

Seventy-nine (79%) percent of all families using the centers are those whose eligibility is determined on the basis of family income, taking into account size of family in the larger family groups.

Student veteran families	10.6 percent
Teacher families	6.1 percent
Nurse families	4 3 percent
All others	79 percent

One-parent Families

Children of families in which there is only one parent are eligible for enrollment if the family income is not more than $225 per month, or in the cases of larger families equal to $60 per person in the family, or because the parent is in one of the excepted groups (nurses, teachers, student veterans).

In practically all of these families the mother is the sole support. Divorce or separation accounted for the breakup of the family unit in eighty (80%) percent of the cases, death in twelve (12%) percent. It was indicated by the study conducted at the University of California that less than thirty (30%) percent of the divorced fathers are contributing toward support of the family.

Including the families exempt from the income means test, many of these one-parent families are in an extremely low income class. Twenty-five (25%) percent had incomes of less than $150 per month, and sixty-seven (67%) percent incomes under $200. Eighty-seven (87%) percent of these families had incomes of less than $225, the basic limitation for eligibility for use of the centers.

Forty-six (46%) percent of the two-member one-parent families had incomes of less than $175 per month and seventy-one (71%) percent of less than $200. Fifty (50%) percent of the three member families had incomes of less than $175 a month, and seventy-one (71%) percent of less than $200.

Two-parent Families

Approximately 3,200 families, excluding those of teachers, nurses, and student veterans, using the centers have two parents in the home. In a small percentage one parent is incapacitated from employment. In the great majority both parents are employed to support the family.

The income limitation of $275 for determining eligibility for use of the centers applies to the three- and four-member families. Families with five or more members may have income equal to $60 per family member and be eligible for use of the centers.

Thirty-one (31%) percent of the three-member, and twenty-two (22%) percent of the four-member families had incomes of less than $200 a month while thirty-two (32%) percent of the five-member families fell in this low income group.

Median income for all two-parent families for October, 1949, was reported as follows:

	Northern California	*Southern California*	*All California*
Mother's earnings	$125	$120	$120
Father's earnings	140	140	140
Total family earnings	270	260	265

The above income figures include the earnings of teachers and nurses whose incomes run higher than other families in the total group.

Teachers' Families

Teachers whose employment is found to be necessary due to occupational shortages may utilize the centers for their children without regard to family income. They represent about six (6%) percent of all families using the centers, and include both one- and two-parent families.

Although exempt from the means test, a large proportion of the teachers in the one-parent group and many in the two-parent group would be eligible to use the centers on an income basis. Sixty-eight and seven-tenths percent of the teacher families had incomes in excess of the means test (40 percent of one-parent and 78 3 percent of two-parent families).

The total number of teacher families using the centers is approximately 700, based upon 6.1 percent of the total of the 11,640 families with children enrolled in October, 1949.

Registered Nurses' Families

These families are eligible to use the centers without income restrictions if it is found that the services of the nurse are necessary. They make up 4 3 percent of the total families, or about 500 families in October, 1949.

A large proportion of the registered nurses who were the sole parent in the family had incomes within the means test range, and many two-parent families in which there were registered nurses could have been eligible under the means test. Fifty-two and six-tenths percent of nurses' families had incomes in excess of the means test level. (Thirty-six percent one-parent and 65.6 percent two-parent families.)

Veterans' Families

The great majority of student veteran families are those with two parents, the veteran attending school and the mother being employed to help support the family. The study shows 4.2 percent of these families in the very low income group of less than $125 a month. These families included those in which the mother was incapacitated or a student, or in which a grandmother served in the role of female parent.

The means test is not applicable to this group. There are over 1,200 such families, 10.6 of the total as of October, 1949. Forty-seven and seven-tenths percent of these families could qualify under the means test.

Children in the Centers

Over half of the children are in the nursery age group, two to five years old. Only a small number, about 2½ percent of the total, are in the older age group, 10 to 16 years.

Age distribution of children in the centers as of October, 1949, was approximately as follows:

	Number	*Percent*
2 to 3 years	1,807	13.2
3 to 4 years	2,752	20.1
4 to 5 years	2,793	20.4
Total under 5 years	7,352	53.7
5 to 10 years	5,982	43.7
10 to 16 years	356	2.6
Total 5 to 16 years	6,338	46.3

Total children, 13,690.

In the two years, 1947 to 1949, the proportion of the nursery aged children dropped from 58.8 percent to 53.7 percent figure. There was an increase from 38.9 percent to 43.7 percent in the five to ten-year-old group and a slight increase in the older group of children.

About 82 percent of the younger children (two to five years) were in the centers eight or more hours per day. Over 20 percent of them attended for 10 or more hours a day.

Location of Centers, Enrollment and Waiting Lists for Years 1947-1948, 1948-1949, 1949-1950

State totals	*Number of districts*	*Number of centers*	*Average total enrollment*	*Waiting list eligible families November 1st*
June 30, 1948	52	293	12,034	2,881
June 30, 1949	52	288	12,728	2,238
June 30, 1950	54	288	12,486	I.N.A.

Source: State Department of Education

Location of Centers and Enrollment by Counties 1949-1950

County	*Number of districts*	*Number of centers*	*Average total enrollment*	*Percent of total state enrollment*
Alameda	5	30	1,762	14.11
Contra Costa	4	11	730	5.85
Fresno	1	4	207	1.66
Humboldt	1	1	76	0.61
Los Angeles	20	163	6,497	52.03
Marin	1	1	74	0.59
Monterey	2	2	67	0.54
Napa	1	1	23	0.18
Riverside	1	1	42	0.34
Sacramento	1	1	78	0.62
San Bernardino	1	1	29	0.23
San Diego	2	23	852	6.82
San Francisco	2	29	1,292	10.35

Location of Centers and Enrollment by Counties—Continued
1949-1950

County	Number of districts	Number of centers	Average total enrollment	Percent of total state enrollment
San Joaquin	2	4	128	1.03
San Luis Obispo	1	1	34	0.27
San Mateo	3	3	173	1 39
Santa Barbara	1	2	90	0.72
Santa Clara	1	2	77	0.62
Santa Cruz	1	1	45	0.36
Solano	1	5	135	1.08
Tulare	1	1	41	0.33
Ventura	1	1	34	0.27
Recapitulation	54	288	12,486	100.00

Source: State Department of Education

Unit Costs per Child—Costs Borne by State and by Parent Fees and Other Income
For Years 1947-1948, 1948-1949, 1949-1950

	Unit cost per child	Cost borne by State	Percent total	Cost borne by fees, etc.	Percent total
1947-1948					
Nursery centers	$723 84	$516.60	71.37	$207.24	28.63
Extended day care	405.95	254.41	62.67	151.54	37.33
Combination centers	614.20	426.99	69 52	187.21	30.48
Total, all centers	615.75	427.70	69.46	188.05	30.54
1948-1949					
Nursery centers	$739.70	$522.08	70.58	$217.62	29.42
Extended day care	397.18	230.97	58.15	166.21	41.85
Combination centers	607 09	421.65	69.45	185.44	30.55
Total, all centers	615.33	420 28	68.30	195.05	31.70
1949-1950					
Nursery centers	$769.84	$555 03	72.10	$214 81	27.90
Extended day care	416.79	250 90	60.20	165 89	39.80
Combination centers	651.97	461.46	70.78	190.51	29.22
Total, all centers	646.22	451.05	69.80	195.17	30.20

Source: State Department of Education

Classification of Expenditures—1947-1948, 1948-1949, 1949-1950
(Percent of Total Expenditures by Classification)

	1947-1948		1948-1949		1949-1950	
Classification	Amount	Percent	Amount	Percent	Amount	Percent
Administration.					$291,609.80	3.65
Salaries / Other	$311,973.75	4.29	$323,495.90	4.15	26,183.23	.33
Instruction:						
Salaries	4,121,254 17	56.62	4,480,305.98	57.53	4,532,774.92	56.79
Other	71,033.12	.98	57,102 09	.74	119,256.00	1.49
Operation	804,734 87	11.06	889,688.24	11.42	959,963 64	12 03
Maintenance	182,725.57	2.51	176,187.02	2.26	207,044.21	2.59
Auxiliary:						
Food	1,000,599.73	13.75	1,021,532.77	13.12	1,014,168.15	12.71
Salaries					648,084.51	8.12
Health—salaries	737,614 32	10 13	791,641.21	10 16	120,995.57	1.52
Health—other					12,552 51	.16
Other					2,497.54	.03
Fixed Charges.						
Rent	13,390.97	.18	15,946 97	.21	16,640.33	.21
Other	34,983.27	.48	31,656.60	.41	29,331.18	.37
Current Expense	$7,278,309.77	100.00	$7,787,556.78	100 00	$7,981,101.59	100.00
Capital outlay	131,989.97	1.78	44,323.21	.57	87,631.19	1.09
Total Expenditures	$7,410,299.74	101.78	$7,831,879.99	100.57	$8,068,732.78	101.09

Source: State Department of Education

C. Need for Child Care Centers

There appears to be general agreement that some public program for providing child care facilities at low cost to families in which parents are employed is needed. If the requests for such services constitute a proof of need, there is evidence to support the need through the record of enrollment, parent waiting lists, and unmet requests for the establishment of additional centers.

During the war years, need for the centers was based primarily upon the labor requirements of war industries although there was also recognition of the social desirability of providing proper care facilities for children of working parents.

Enrollment in the centers reached a peak in May, 1945, just prior to the cessation of hostilities with Japan. There was a rapid decline in enrollment from 25,566 children in May, 1945, to 14,685 by November of that year. For the past three years, average monthly enrollment has been relatively stable, varying from 12,000 to 12,750 children. In these latter years the centers have been filled to the capacity permitted by the support from state appropriations and parent fees.

This enrollment in the past few years has not been associated with labor emergencies such as characterized the war years. However, in the past six months, there has been an increased demand for child care services from parents entering war industry or because of dislocation of family life due to the fathers entering the armed services.

Continued need, apart from wartime or defense emergency considerations, is recognized in existing legislation although recent legislative action assumes that such needs are local in character not justifying statewide financial support.

Centers have been operating in 22 counties. However, enrollment has been concentrated in the larger population centers. In these areas there have been waiting lists of parents seeking to enroll their children and meeting the eligibility requirements but unable to secure services because of the capacity enrollments in the centers. However, need has not been confined to these large population areas and there is evidence of demand for centers in other areas of the State.

Since 1947 many districts have requested information from the Department of Education pertaining to the establishment of child care centers. Because new centers cannot be opened if they would result in the termination or contraction of centers already in operation, these requests could not be granted.

Need for the establishment of centers has been generally recognized in agricultural areas, particularly in connection with seasonal employment problems.

Privately operated centers have not been able to meet the need. In fact, recognized community centers operated by private agencies themselves have waiting lists. These centers are frequently subsidized by community chests or by religious or other groups and offer care at relatively low cost. Fees in those private centers operated by individuals or organizations on a self-sustaining basis have been reported to be too high for the group of families served by the public centers, or hours of operation are such that persons employed on a full day basis are unable to utilize these centers.

Types of Needs to Be Met

There are a variety of reasons, both economic and social, why children need low-cost day care facilities. The most obvious, or course, is the need of the mother who is the sole support of the family to have available child care facilities in which she can leave her children with confidence and assurance that they will receive adequate supervision and care.

Many of these working mothers are faced with the alternatives of providing for their families through employment or relying upon welfare assistance for a minimum level of family maintenance. If they are to remain economically independent they must secure suitable care and supervision of their children at low cost.

There are many two-parent families in the lower income levels. These families affected by the high cost of living, labor market fluctuations, low earnings due to the lack of occupational skills, and a variety of other reasons require the income of both parents to maintain the family. Earnings levels of such families, even with both parents employed, are insufficient to enable them to pay the full cost of day care for their children in private nurseries even if such services were available to them on a basis of hours of operation meeting their needs.

Other families may have short-term or temporary economic problems, or problems of family adjustment, which make it desirable to utilize low-cost child care centers. The costs of serious illnesses may make it necessary that both parents work to meet debts. A family crisis such as created by death or separation may require temporary facilities for the care of the children until required family adjustments can be made.

Some parents will continue employment even though proper facilities for supervision and care of children are not available. The problem presented is in relation to the needs of their children rather than that of the parents. The use of child care centers providing good supervision and a sound program has social values to the community because of its concern for the welfare of children whose parents may not demonstrate sufficient responsibility or concern.

The needs of industry, or shortages in certain professional occupations, have been recognized in the past as justification for child care centers. This was the basis of the wartime program. It is recognized in the existing program which exempts nurses and teachers from the means test if their services are considered necessary, and exempts persons needed in emergencies for the harvesting and processing of crops.

Seasonal concentration of farm families in rural areas creates particular problems since both parents normally work in the fields and frequently inadequate provision is made for care and supervision of young children during working hours.

The veterans of World War II attending school under the benefits of the G.I. Bill constitute a special problem. If those veterans with families are to be able to take advantage of their opportunities for education low-cost child care facilities are a necessity.

Since the start of the Korean war, fathers have been drafted into the armed services or recalled to active duty leaving families that need incomes greater than provided under the family allotments for service personnel. Mothers in many of these families must secure employment to maintain the family and to protect equities in homes contracted for before the father was called into service.

How great these needs are, and the extent to which they cannot be met other than through publicly supported child care centers cannot be determined or estimated in numbers of children at any given time. The relative stability of enrollment at the capacity permitted by funds available for operation of the centers and the existence of a large waiting list of families is demonstration of normal needs. It may be argued that some families currently using the centers may not have sufficient need to justify their subsidization by public funds. However this group would be relatively small and would be more than offset by those families demonstrating need but unable to utilize the centers because of enrollment limitations.

However the situation has changed rapidly in recent months due to the national preparedness program creating demands in addition to the many unmet needs in the State not directly associated with accelerated employment in war industry or expansion of the armed forces.

Unmet Needs

The present program does not meet existing needs. Centers already established have not been able to accommodate families seeking to use them because of the limited budgets for administration and operation of the centers and limitations of facilities. Only a small portion of families in the rural areas are being served although there is evidence of considerable need for such services. The present program makes no provision for acceptance of children on the basis of social or emotional needs, eligibility being limited to economic considerations, or for recognition of hardship situations of families whose income level may be above the means test.

Although a waiting list of families has been a standard condition in areas where centers are established, the need for expansion of enrollment has become particularly pressing since the start of the Korean war. Many applications are being rejected because centers have been filled to capacity. Some centers, already having waiting lists and experiencing an increase in applications could accommodate more children in existing physical facilities provided funds were available for meeting the additional costs of staff for supervision and general conduct of the program.

A new problem has arisen in recent months directly as a result of the national preparedness program, and illustrates a changing character in need for use of the centers. Many parents already utilizing the centers have had incomes increased because of longer work hours or other factors in industry. This has resulted in making them ineligible under the means test. Many other applicants entering war industry have been turned away on an income basis. The total income from earnings of mothers and their allotments from servicemen husbands has necessitated rejection of applications on an income basis.

The director of child care services in San Diego reported the following, covering the period from the start of the Korean war to September 15, 1950:

137 wives of military personnel applying for employment ineligible for child care services because of income;

134 other mothers applying for defense work ineligible because of income;

143 mothers in other than defense work ineligible because of income;
150 families with parents employed in defense work who may be required to drop children from centers because of increased earnings due to overtime and salary raises;
63 children could be added without increase in staffing or other costs except for food.

A survey of the Bay Area conducted by the Nursery School Association of Northern California in early September, 1950, revealed the following:

Alameda: Turning down four to five applications daily although space to accommodate 350 to 400 more children. Enrollment limited to 185 because of appropriations available.

Oakland: Could increase enrollment by 300 children with additional funds for operation. Fees too high for parents needed in seasonal cannery work. During July-August rejected average of 10 applications daily because of earnings above means test level.

Martinez: Forty applications rejected in August because of income, eight of them from families of service personnel. Could accommodate 35 more children in existing facilities with increased budget.

Redwood City: Turned down 72 applications in August because of earnings. Six children dropped from centers because of salary increase of parents. Waiting list of 31 families.

San Francisco: Waiting list of 339 families. Three hundred forty applications rejected during July-August and 27 enrollees dropped because of family incomes.

Richmond: Twenty-five children dropped during August because of increased family income. Thirty-five applications from families with fathers in armed services rejected account of earnings. One hundred six applications from parents employed in defense work rejected in August. Two hundred additional children could be cared for within existing facilities.

The need in areas of high seasonal employment is to facilitate employment as well as for protection of the children of parents employed in agriculture and food processing.

Rural areas in which there is need for child care services have not been given recognition under the program. Such recognition is not possible under the present law since no new centers can be opened with state funds if they would jeopardize the existing centers.

The primary problem in rural areas appears to be seasonal in nature which would necessitate a somewhat different type of program than now exists in urban centers. In planning programs it presents other problems since the total need for child care centers in such areas has not been determined.

Peak seasonal population in labor camps in the six counties of Fresno, Kern, Kings, Madera, Merced, and Tulare has been estimated at 49,500. This does not include those living in other centers of population during seasonal agricultural peaks. Past studies indicate that 26 percent of the members of migrant families were under 14 years of age. Among this group there would thus be a large number of very young children requiring care and supervision while parents are engaged in agricultural work.

In many rural counties there are no child care centers established under the state program.

The section dealing with the problems of children of migrant families at the Governor's Conference on Children and Youth, held in Sacramento, September 18 and 19, 1950, recommended as follows:

> "Child care centers for rural areas should be established close to the parents' place of work or residence. These day care centers are considered vital because of the protection given children of pre-school age from the numerous hazards to which the child may be exposed while the parents are working. Extended day care centers are needed as well as those for pre-school children. Supervised day care centers provide the child with an opportunity to develop more fully a healthy personality and social integration."

While this committee did not hold public hearings in rural areas, there was considerable testimony on the need for child care centers presented to the San Joaquin Valley Agricultural Labor Resources Committee during the course of its study.

In a report to the Agricultural Labor Resources Committee the Tulare Board of Supervisors stated:

> "Due to economic pressure, the mother in the agricultural family has been forced to join her husband in the role of breadwinner; therefore the children of agricultural workers are often given inadequate care. It is a common sight to see pre-school age children left in the automobile while their parents toil in the fields. School age children remain at home to mind the younger children. Practically the only alternate plan for the mother would be to avail herself of the offer of a kindly neighbor who watches the children along with numerous others. These homes are mostly substandard and overcrowded. They are seldom licensed as foster homes since the individuals are unaware that this is necessary. There is a great need in the county for child care centers."

Before the same committee, the Kern County Department of Public Health recommended that consideration be given to establishing day nurseries in that county during seasonal employment periods in order to reduce the accident and illness rate of babies and young children taken into the fields by parents.

Recognition of the desirability of a broader type of child care center services has been emphasized, particularly by agencies concerned with child welfare and family service programs. At the Governor's Conference on Children and Youth, September, 1950, the section concerned with Care of Children Away from Home recommended:

> "Day care in child care centers has educational, social, and health facets grouped together in one institution, designed to meet a specific need of employed mothers and to help maintain family unity. This program needs expansion on a permanent basis, since the employment of women is an expanding factor in our economy. The criteria of eligibility to use the centers should be the individual need of the

child and his family rather than the family's income bracket. Casework services should be accessible to those children and families who may need these services. The primary responsibility for financial support of the child care centers rests with the State, and administration should remain with the Department of Education, with social and health services readily available."

D. The Means Test

Section 19601.6 of the Education Code established the "means test" which limits eligibility for use of the centers to families within certain fixed income ranges, with the exception of the groups specifically exempted from the means test (veterans, teachers, nurses, etc.)

The section provides that no child shall be admitted to a child care center if the total monthly income from all sources of the child's immediate family:

(a) Where both parents are working exceeds two hundred seventy-five ($275) dollars, or

(b) Where but one parent * * * is the sole wage earner * * * exceeds two hundred twenty-five ($225) dollars.

Provided, however, that if the monthly income of the family divided by the total number of persons to be supported therefrom does not exceed sixty ($60) dollars then the child may still be admitted to the center even though total family income exceeds the amounts established in (a) and (b) above.

The law also provides that the total monthly income figure may be exceeded in any month or months of the year if it is believed the average monthly income for the year would not exceed the maximum.

Veterans of World War II attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 during the years 1947 to 1951, or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code, and the other parent in the family, if any, are exempt from the income limitations.

Also exempt are teachers and nurses whose services "are necessary as a teacher in a public school or as a registered nurse" and parents who are employed to meet an emergency arising from the necessity of harvesting or processing crops.

In the course of the hearings conducted by the committee, there was a great deal of criticism of the present income means test, along the following lines:

1. Income limitations should be based on a "take-home" pay basis rather than on gross income;
2. The schedule of incomes now established by law is outdated in view of cost of living changes since it was established in July, 1947;
3. Requirements of war industry, particularly the return to a longer work-week, have resulted in increased earnings for some families using the centers making them ineligible under the means test;
4. No provisions are made for exceptions to meet hardship situations;

5. Wives of service personnel are ineligible to use the centers because incomes when added to allotments and base pay exceed the means test yet such mothers must work to support their families;
6. Increasing numbers of women have been called back into war employment since the Korean War started, but are ineligible to use the centers because of the means test.

Establishment by law of a fixed amount of income as a condition of eligibility is necessarily arbitrary and particularly so where no provision is made for exceptions or for adjustment of the income ceiling by the administrative agency. The virtue of setting such specific limits by law is in administrative expediency since it greatly simplifies the process of determining basic eligibility. However such limits are not flexible and while they may be established to meet the majority of situations do not take into account varying requirements of families of the same size, and can be altered to meet changing price conditions only by amendatory legislation.

The present fee schedule is set up on a family basis and recognizes the greater income requirements of the different sized families for only the larger ones. The family with one parent and one child is subject to the same income limitations as that of a parent and two children although the needs of the latter family are greater. The same is true of the three- and four-member families where there are two working parents. The Department of Education has ruled that the family with both parents, one of whom is not employed due to physical disability, is subject to the same income limitations as the one-parent family although the requirements of two-parent families are obviously greater.

Since the present schedule was established, living costs have risen sharply. The present schedule adjusted to cost of living changes for June, 1950, for San Francisco, and July, 1950, for Los Angeles is as follows:

	Adjusted to June-July, 1950, living costs	
Schedule	*Los Angeles*	*San Francisco*
One-parent—$225	$243	$245
Two-parent—$275	$297	$299

The method of determining eligibility on the basis of income is relatively simple and there are a minimum of complications for the administrative agencies.

The purpose of a means test is to reserve the use of the child care centers to those families most in need of such services and unable to otherwise afford proper day care of children. However, the present means test does not necessarily meet that objective in actual application, and there are a number of defects.

1. The schedule is rigid and cannot be adjusted for changes in actual living costs except through legislative action. The present schedule is already out-moded and should be adjusted upward to provide the same measure of total family requirements as established in July, 1947.

2. The schedule does not distinguish between the varying requirements of different sized families in the smaller family groups. The U. S Bureau of Labor Statistics estimates the total requirements of a two-person family is 65 percent of that for a four-person family, and for a three-person family as about 84 percent of that for a four-person family.

Under the present means test the two- and three-member one-parent families are subject to the same income limitations and the three- and four-member two-parent families are under the same means test. For the one-parent families, the current schedule raises the means test limit $15 for the fourth member of the family but $60 for each person above four in the family. In the two-parent families the limit is raised $25 for the fifth member, and $60 for each additional person above five.

3. Eligibility for use of the centers is measured by current income only and there is no attempt to measure other resources that a family may have, such as bank deposits, savings bonds, value of property holdings, contributions of other relatives in the household, etc. Thus, it is a means test only in the limited sense of measuring income and not total wealth of the family.

4. Family requirements vary for many reasons. Families with the same composition do not necessarily have the same income requirements for support. There are variations in cost of living between areas in the State as well as for families in the same locality. But more important, some families have needs that are not common to many others. In those families in which there is illness or there have been major misfortunes, income needs may be substantially greater than for the average family of the same size to maintain an equal standard of living. Under the fixed income schedule there is no method for considering the special needs of such families.

Representatives of parent organizations testifying before the committee were particularly critical of the present income means test schedule. They recommended its adjustment to "take home pay" and cost of living changes. On the other hand, they pointed out to the committee that they would be opposed to a social work investigation to determine actual budgeted requirements of the family as part of the eligibility determination.

Administration of the Means Test

The Department of Education has provided guidance to the school districts in administration of the means test through bulletins. It is pointed out that "income" encompasses "income of any type or nature, whether earned by labor or otherwise." Gross pay, before deductions, is the governing factor in computing the total income.

For self-employed persons, income is determined on the basis of net profit "after deducting all expenses from total sales or gross income." Earnings of this group may be averaged over a period of a year.

The department has ruled that where there are two parents in the home, one of whom is physically or mentally unable to help support the family or care for the child, the limitation of $225 applicable to the one-parent family must be used.

Child Care Center Bulletin 22, of February 20, 1950, states as follows:

> "All applicants must be treated uniformly in ascertaining eligibility. Proper application of the five steps listed herein should clearly and plainly disclose the eligibility or ineligibility of applicants. An ineligible applicant should not be admitted, regardless of extenuating circumstances. To permit this would not only circumvent the law but might be the cause for nonadmittance of an eligible applicant."

A uniform application form is recommended by the State Department of Education. In addition to the identifying information concerning children, marital status, veteran status, etc., this application solicits the following information for both the father and mother:

Name and address of employer.
Type of position.
Average gross monthly income.
If separated or divorced, how much support is received from the father?
Any other income?

The application is signed by the parent who in doing so agrees to report any change in status.

The director of the child care program for San Francisco testified to the committee that in processing applications, statements concerning earnings are checked with prevailing wage rate data. If through this process, or as a result of the interview, questions arise as to the accuracy of the application contact is made with the employers to verify earnings. Applications are rechecked every six months and at the time of any reported changes in employment. For self-employed persons they are checked every three months.

A University of California study conducted through questionnaires sent directly to the parents using the centers, covered a random sample of 1,353 of the 11,548 families using the centers in October, 1949. Income data obtained through that study is based upon what the parents reported in completing the qustionnaires. The study questionnaire solicited the following information concerning earnings and income:

34–36 If father or stepfather is working, what were his earnings for the last four weeks or the past month?
37–39 If mother or stepmother is working, what were her earnings for the past four weeks or the past month?
40–42 What was the total family income from all sources the last four weeks or past month?

The following tables show for the one-parent and two-parent families the percentage of families reporting income within the means test limits for the various sized families. These data exclude the teachers, nurses, and veterans who are exempt from the income means test limits.

Distribution of One-parent, Nonexempt Families, According to Number Persons in Family and Average Maximum Income
(Applicable Means Test Level Underlined)

	Number of persons supported					
Income class	*2 percent*	*3 percent*	*4 percent*	*5 percent*	*6 percent*	*7 percent*
$225 and less	97.3	96 9	89.6	71.0	87.5	50.0
$226 to $240	1.0	1.5	1 9	12.9	--	--
$241 to $300	1.7	0.8	8.5	16.1	12.5	50.0
$301 to $360	--	0.8	--	--	--	--
$361 to $420	--	--	--	--	--	--
More than $420	--	--	--	--	--	--
Total	100.0	100.0	100.0	100.0	100.0	100.0
Percent over average maximum monthly income	2.7	3.1	8.5	--	--	--

Distribution of Two-parent, Nonexempt Families, According to Number of Persons in Family and Average Maximum Income
(Applicable Means Test Level Underlined)

	Number of persons supported				
Income class	*3 percent*	*4 percent*	*5 percent*	*6 percent*	*7 percent*
$275 and less	85.2	81 0	69.0	69.2	46.6
$276 to $300	3.7	2.6	24.1	3.9	6.7
$301 to $360	8.3	5.8	3.5	25.0	26.7
$361 to $420	1.9	0.6	1.7	1.9	20.0
More than $420	0.9	--	1.7	--	--
Total	100 0	100.0	100 0	100.0	100.0
Percent over average maximum monthly income	14.8	9.0	6.9	1.9	--

For all one- and two-parent families, subject to the means test, approximately 5.5 percent reported incomes in October, 1949, above the average monthly maximum income established by the means test. Since in application of the means test, income is based on average gross income, the above does not reflect a 5 percent error in administration of the means test. Earnings reported are for October, 1949, whereas average monthly income may be different because of periods of unemployment or seasonal variations in income.

E. Parent Fees

Parent fees based upon ability to pay as measured by gross income are provided for by law. A uniform schedule of fees has been established for application throughout the State providing for a sliding scale of fees related both to family income and the number of persons in families.

The fee schedule is apparently designed both as a rough measure of ability to pay and to establish rates related to the difference in services and costs between the nursery and extended day centers.

Fees start from a minimum of 60 cents per week for the lowest income families with six or more members and are graduated up to $14.50 per week for the two member highest income families utilizing the nursery level centers.

Ability to pay is measured through a schedule of fees progressively larger as income increases and progressively smaller as the number of persons in the family increases.

Recognition of services provided is through establishment of a lower fee schedule for the extended day care centers, the per child cost of which is about half of the nursery level centers, and through somewhat lower fees for those centers operating on a five-day basis instead of the normal six days per week.

The following fee schedule has been in effect since July, 1950, for the centers operating six days per week:

Weekly Fee Schedules for Parents
(Nursery Level—Extended-day Vacation Schedule)
(Effective July 3, 1950)

Family income	*Number in family* 2	3	4	5	6 or more
$100 or less	$1.60	$1.35	$1.10	$0.85	$0.60
$101 to $150	2.75	2.50	2.25	1.75	1.25
$151 to $200	4.00	3.75	3.50	3.00	2.75
$201 to $225	5.00	4.50	4.25	4.00	3.75
$226 to $275	6.00	5.50	5.00	4.50	4.00
$276 to $325	7.25	6.75	6.25	5.50	4.75
$326 to $375	8.75	8.25	7.75	7.25	6.50
$376 to $425	10.50	10.00	9.50	8.75	8.00
$426 to $475	12.00	11.50	11.00	10.50	9.75
$476 to $525	14.00	13.50	13.00	12.00	10.50
$526 and over	14.50	14.00	13.50	12.50	11.00

Extended Day Care Level (School Schedule)

Family income	*Number in family* 2	3	4	5	6 or more
$100 or less	$1.60	$1.35	$1.10	$0.85	$0.60
$101 to $150	2.25	2.00	1.75	1.50	1.25
$151 to $200	2.75	2.50	2.25	1.75	1.50
$201 to $225	3.00	2.75	2.50	2.00	1.75
$226 to $275	3.25	3.00	2.75	2.50	2.00
$276 to $325	4.25	4.00	3.75	3.50	3.25
$326 to $375	4.75	4.50	4.25	4.00	3.75
$376 to $425	5.25	5.00	4.75	4.50	4.25
$426 to $475	5.75	5.50	5.25	5.00	4.50
$476 to $525	6.50	6.25	6.00	5.75	5.25
$526 and over	7.50	7.00	6.50	6.00	5.50

* * * EXCEPTIONS TO "MEANS TEST" A veteran attending school or receiving instruction under the Servicemen's Readjustment Act of 1944, or under Article 2, Chapter 6, Division 4 of Military and Veterans Code, a registered nurse; a teacher in a public school, or to meet an emergency arising from the necessity of harvesting or processing crops. Families of five or more who do not exceed an average monthly income of $60 per member.

Under this schedule only the two-member families (one parent) having incomes over $525 a month are paying full cost of care. The extremely low income families ($100 or less) pay a minimum fee which in the case of the two-member family would amount to $6.88 per month for both nursery and extended day care levels.

Fees have been increased over the 1947 level in order to provide for greater parent participation in costs in view of limited state appropriations available.

The distribution of all families in accordance with fee paid per week for each child in the centers for October, 1949, as determined by the University of California study was as follows:

Distribution of Families According to Fee Paid per Week for Each Child in Centers

Fee per week	*Nursery centers*	*Extended day care*	*All centers*
Under $1.50	5.3	7.2	6.1
$1.50-$3.00	27.8	52.1	37.5
$3.00-$4.50	30.2	22.2	27.0
$4.50-$6.00	27.1	15.3	22.4
Over $6.00	9.6	3.2	7.0
Median	$3.90	$2.70	$3.30
	4.20	3.00	3.60

Converted to the monthly cost to the parents the above weekly fee units would be equal to:

$1.50 weekly equal to $6.45 monthly
3.00 weekly equal to 12.90 monthly
4.50 weekly equal to 19.35 monthly
6.00 weekly equal to 25.80 monthly

Only a small percentage of families pay full cost of care in either the nursery or extended day care programs. About 15 percent of those using the nursery centers pay over one-half the cost of care, and approximately 35 percent pay more than half cost in the extended day care centers, in which total cost of care is about half of the nursery level.

While the fee schedule is intended to measure ability to pay, based on family income and numbers in the family, the $50 income intervals established do not provide a close relationship between presumed family income requirements and fees paid. The family with income of $275 per month will pay the same fee as the same-sized family with income of $226, although the one has greater ability to pay.

Although families using the extended day care centers pay a greater share of total cost than for the nursery centers, the actual expenditure for this service is lower than for the family with the same income using the nursery center. The two-person family at the $225 level pays a weekly fee of $5 for nursery care but only $3 for the extended day care service.

It appears that fees can be graduated upward more sharply as income increases. Under the present schedule, families in the higher income ranges, while paying more in fees, do not pay in proportion to the difference between actual income and the figure used for the income means test limit.

If the fee schedule is intended to reflect ability to pay, consideration should be given to a better equalization of fees for extended day care centers with those for the nursery centers, up to full cost of care, as well as sharper upward graduation of fees as income increases so that the state subsidy to these "higher income" families can be decreased.

It is recognized, however, that fees charged do have a direct relationship with parent willingness to use the centers and must be kept at a reasonable level for the purposes of providing suitable care for children of working parents and encouraging families to be self-sufficient. For example, the "Technical Staff Report to the Joint Committee on Preschool and Primary Training," January 17, 1947 (page 55), describes the following effects of an increase in fees:

> "The result of increased fee rate increases has been a withdrawal of those who cannot afford to pay the rate. Various alternatives have been taken. Some have stopped work, others have gone on relief or applied for aid to dependent children, others have left the children to run the streets. Other families have left the younger children in the centers but have withdrawn the older children. Vacancies thus made have been taken by families on the waiting list who are more able to pay the higher rates."

It is the contention of some persons that if the fee schedule for the extended day care program were equalized with that for nursery care, many families would withdraw school-age children from the centers and let them roam the streets or provide makeshift arrangements which might lead to problems of juvenile delinquency since these children would be without proper supervision before and after school hours while parents are working.

In the course of its hearings, the committee received little comment and no criticism of the present fees charged. Although it appears that the fees charged the very low income families are high in relation to

ability to pay, it seems that these families are willing to make the sacrifices necessary to secure child care center services. The very low income families must budget a larger proportion of their income for child care services than the higher income families.

A special budget study covering ninety (90) one-parent families in San Francisco, conducted by the child care center staff for that city, showed that the average monthly income for these families was $190.03 and that eleven (11%) percent was budgeted for child care center fees, at an average of $21.10 per month.

F. General Information

Federal Aid for Child Care Centers

With acceleration of the defense program since June, 1950, the possibility of the Federal Government again providing financial aid to states and localities for conduct of child care centers programs has been considered. Needs directly related to the expanding armed forces and increased production of military equipment have been demonstrated in recent months and have increased the pressures on the centers which were already operating at capacity enrollment before the start of the Korean war.

The committee forwarded a resolution to the representatives of the State of California in the national Congress to solicit their aid in securing federal legislation to reactivate the Lanham Act or otherwise provide for federal financial assistance in establishing and operating child care centers.

Copies of the following resolution were forwarded to each of the Senators and Representatives from California in the U. S. Congress on August 30, 1950:

"Resolution of the Assembly Interim Committee on Social Welfare, Relative to Federal Support for Child Care Centers

WHEREAS, The State of California established child care centers early in 1943 in conformity with the federal Lanham Act to help meet the emergencies created by the employment of women in industry as a direct result of the war; and although the Federal Government withdrew support from the child care centers on February 28, 1946, the State of California has found that the conditions created by the war have necessitated continuation of these child care centers, particularly in those areas in which war activity was concentrated and in which there was great influx of war workers and settlement of veterans following the war; and

WHEREAS, The State of California now supports some 293 centers providing day care for over 12,500 children, over 90 percent of whom reside in those areas in which wartime activity was concentrated and which will feel the greatest impact from current military and defense activities in the Pacific area, namely San Diego, Los Angeles, Alameda, San Francisco, and Contra Costa Counties; and

WHEREAS, Existing child care centers are utilized by veterans of World War II now attending school, families of personnel in the armed services, families of disabled veterans whose requirements make it necessary to supplement allowances and pensions by the employment of mothers, other working mothers who are the sole support of their families, and two-parent families whose support requires the employment of both parents due in large measure to the high cost of living and inability of low-income families to afford the cost of private child care facilities; and

WHEREAS, Because of inability of the State to provide sufficient funds to accommodate all children in need of low-cost day care facilities, there has continued for some time a waiting list of families eligible on a means-test basis to use the centers which are now taxed to capacity, and recent international developments have increased the need for such day care facilities to provide services and care for children of service personnel, including those being inducted or recalled into service, and of mothers called back to work by aircraft factories and other defense or war plants; and

WHEREAS, Employment of women in war industries, because of relatively high wage rates and long working hours, will cause disqualification of such families under the means test governing eligibility for use of child care centers thus creating problems in the recruitment of workers for such industries and the provision of adequate care for children of working mothers; and

WHEREAS, Current and prospective needs for tax-supported day care center facilities are a direct result of past and present military and defense activities centering in certain areas of the State of California and have been influenced by the large population growth attributable to immigration of war workers and the settlement of veterans of World War II in these areas; and

WHEREAS, Rapidly increased expenditures for necessary state services as a result of wartime and postwar problems threatened to cause deficits in state financing which prevents the expansion of the child care center program to meet existing and potentially increasing needs and may endanger the continuation of the child care centers already operated unless federal financial assistance is secured; now, therefore, be it

Resolved by the Assembly Interim Committee on Social Welfare, That each member of the House of Representatives and of the Senate of the United States elected from the State of California be requested to introduce legislation and take such other action as is necessary to secure federal financial participation in the child care program similar to that provided under the Lanham Act during the past war; and be it further

Resolved, That copies of this resolution be transmitted to each Representative and Senator from California in the Congress of the United States."

The possibility of the revival of the federal aid program should be kept in mind, and any legislation affecting this program should be so designed that federal aid can be utilized should it become available if the war situation becomes more acute and manpower shortages such as experienced in World War II become a problem.

Other Public Child Care Programs

Public child care programs have been continued in many communities throughout the Country since withdrawal of federal funds in February, 1946. California has carried on the most extensive program. However, the States of Washington and Massachusetts provide financial support of centers, and a public program is operative in the District of Columbia. The following is summarized from a report on "Status of Day Care Programs for Children" by the U. S. Children's Bureau, dated October 31, 1950:

Washington

A $250,000 biennial appropriation was made for support of nursery centers in 1949. The State contributes 75 cents a day per child. It is reported that the all day care nursery centers cost approximately $2 per day per child to operate. Parent fees are from $1.25 to $1.50 per child per day. State funds are allocated through the State Department of Public Instruction to the local school districts for operation of the centers.

Massachusetts

Under the Extended School Services Act, 1946, local school committees are authorized to operate child care centers for children from 3 to 14 years of age. The State Department of Education has over-all responsibility, but administration is by the local school departments.

Centers are limited to children of mothers who are employed and whose employment is determined by the school committees to be essential to the welfare of their families. Initial funds for the centers are appropriated by the local authorities with the State reimbursing up to 40 percent of the cost of salaries of personnel, with a maximum reimbursement per center of $2,500 a year, and an over-all limit of $15,000 for any one town or city.

Mothers pay a weekly fee of $3 to $4 per week, this being established by law as the minimum and maximum limits.

District of Columbia

Children from 2 to 11 years of age are served in six centers established under congressional appropriation to the district board of public welfare.

The parent must be employed. Gross income limits established are:

2 member family	$3,200 gross per annum
3 member family	$3,500 gross per annum
4 member family, or larger	$3,800 gross per annum, which is the absolute maximum

A priority list is established by the public welfare board, providing for serving lower income families first and giving single income families preference over double income families. Children between 3 and 10 years are given preference over two-year-old children or children over 10 years of age.

Average cost per child per week was reported as $10 for the Fiscal Year 1948-49. Parent fees ranged from a low of $2 to a high of $7 for one child in nursery school, and $2 to $6.50 for one child of school age. For the second and third children using the centers, from $1 to $1.50 per week was added to the fees. Fees are in accordance with ability to pay determined by income and the number of dependents.

New York State

In 1949 state funds were appropriated to the State Youth Commission for maintenance of day care centers in migrant labor camps. These camps were operated by the State Federation of Growers' and Processors Association under contract with the Youth Commission. This program served babies under two years of age; preschool children two to five years of age; and school age children from 6 to 14. The program operated from the end of June through October. Permits for operation of each project are issued by the Department of Social Welfare.

New York City

The City Department of Welfare allocates public funds to nonprofit agencies for operation of centers. In 1949 these centers cared for over 3,250 children from three to five years of age, and 1,300 children in the 6 to 12 year group. There were over 2,000 children on the waiting list for admission.

Purpose of the program is to provide day care for children who, because of the employment of their mothers, or because of some special situation in their families, cannot have adequate care during the day in their own homes. The individual child's need for day care as well as the parents' inability to pay for the total cost of this care determines eligibility to receive such care.

A financial investigation is conducted and desirability of use of the centers for the individual child evaluated. A minimum fee of $1 for children not having lunch in the centers and $1.50 for those served lunch is charged. Fees range from $1.50 to $15.50 per week for the preschool children.

In determining the fee, the difference between a family's income and its budgeted expense is determined. Any surplus of income over expenses is considered in determining the fee. The fee is 50 percent of the margin up to margins of $15 and 75 percent of the amount above the $15 margin. At the point where the family could afford to pay the maximum fee, the family becomes ineligible.

Sixty-nine percent of the families pay the minimum fee. Total public contribution is 84 percent of the cost and parent fees and private agency contributions account for the remaining 16 percent.

More than 50 percent of the children using the centers are of families in which the mother is the major or sole support of the family.

Detroit

The city council appropriated $120,000 for operation of six centers from July 1, 1949, to June 30, 1950. The program is operated through the Department of Public Welfare.

Priorities for admission of children are as follows: (1) one-parent homes where parent is sole or main support; (2) homes where chronic illness interferes with the child's normal activities; (3) families where both parents are working and can be considered "hardship" cases.

The weekly per capita costs reported for the quarter ending June 30, 1949, were: nursery school, $22; kindergarten age group, $19; school-age group, $16.

Parent fees range from $5 per week to full cost.

Philadelphia

This program, financed by the city, is under supervision of the Board of Public Education. During 1948, 12 centers were operated caring for 1,650 children. Eligibility is based on the employment of the mother, but hardship cases in which illness or other home conditions warrant enrollment of the child are recognized.

Fees are based on income and size of family, ranging from $2 to $9 per week for one child.

III. PUBLIC HEARINGS AND COMMITTEE STUDY

The committee received testimony concerning the child care center program during several public hearings and through correspondence with certain interested groups. It also reviewed recent studies of the program as well as considered recommendations made by individuals and groups independent of the hearings conducted by the committee.

Public hearings on child care centers were held in San Diego, August 9th; San Francisco, September 7th; and Los Angeles, October 17th. Advance publicity of these hearings was carried in the local press and public participation encouraged. The committee also notified organizations and groups felt to be interested in testifying and having knowledge of the program of the arrangements for the public hearings.

Without exception those testifying before the committee emphasized continued need for a child care center program, although there was some difference of opinion as to how that need should be met.

In general, most of those appearing before the committee:

1. Recommended that the centers be established on a permanent basis;

2. Recommended adjustment in the eligibility requirements, either in modifying the present means test or broadening coverage of the program to include certain types of families now ineligible because of the means test;

3. Favored administration of the program through the school districts, under supervision of the Department of Education, as at present; and

4. Suggested continued state financial participation in the operation of the centers.

The exception to the general attitude of the groups participating was the position of the representatives of the Catholic Church. While emphasizing that need for the program continues, they urged administration by local authorities with licensing of centers by the Department of Social Welfare, and financing on a local basis insofar as possible. They expressed agreement with the continued need for centers but recommended that the program be conducted on a local basis without supervision through the Department of Education and presumably a minimum of state financial participation.

Considerable testimony, most of it in the form of prepared statements, was taken by the committee and carefully analyzed and evaluated as a basis for portions of this report. Summaries of testimony given are attached.

In addition, the committee solicited the views of community organizations such as local welfare councils and certain state-wide groups that have in the past evidenced particular interest in child welfare programs.

Since the committee was unable to schedule hearings in rural areas, it has been particularly interested in testimony presented to the San Joaquin Valley Agricultural Labor Resources Committee and reflected in the minutes of the public hearings held by that committee. Among the organizations represented in those hearings, the following testified as to the need for child care centers in the San Joaquin Valley:

Fresno County Schools ..... (June 20, 1950)
California Farm Research and
Legislative Committee ..... (June 21, 1950)
Fresno County Farm Bureau ..... (June 21, 1950)
Kern County Department of
Public Health ..... (Report dated July 26, 1950)
Kern County Schools ..... (August 1, 1950)
Tulare County Board of
Supervisors ..... (Report August 2, 1950)
Tulare County Welfare
Department ..... (Report August 2, 1950)
Tulare County Superintendent of
Schools ..... (Report August 2, 1950)

Recommendations concerning child care centers were made in five of the sections of the Governor's Conference on Child and Youth, held in Sacramento, September 18 and 19, 1950. Approximately 2,500 persons

interested in the problems of children and youth from all sections of the State, participated in this conference.

The section on "Care of Children Away From Home" recommended expansion of the child care center program on a permanent basis and that eligibility be determined on the basis of individual need of the child and the family rather than upon family income. It felt that primary responsibility for financial support of the program rests with the State, and that administration should remain with the Department of Education, with social and health services readily available.

The section on "Problems of Children of Migrant Families" recommended establishment of centers in rural areas, accessible to parents' place of work or residence.

SUMMARY REPORT OF PUBLIC HEARINGS

San Diego, August 9, 1950

Mrs. Florence E. Rhodes—American Red Cross

Need for centers continues. If children deprived of centers, many would immediately become eligible for aid to needy children. Should remain under administration of Department of Education. Department of Social Welfare would have to set up administrative staff and make provisions for buildings and equipment. Board of Education better equipped to evaluate abilities of professional staff and understand needs of small child.

Eligibility standards have not changed since 1947. Advisable to restudy standards in relation to changes in living costs and incomes.

Opposed to county and Board of Education participation in financing on basis of their ability to do so. Favors 60 percent state—40 percent family support.

Stressed need of service personnel. Many servicemen do not earn sufficient to support family. Reservists called to active duty may have legitimate obligations (such as on homes, appliances, cars) necessitating wives to work to protect equity.

Emphasized possibility of manpower mobilization as further reason for continuing centers beyond February 15, 1951.

Mr John M. Cranston, representing Family and Welfare Division, Community Welfare Council of San Diego

Mr. Cranston appeared as a representative of a special committee that had investigated the need for child care centers in San Diego and explained that its recommendations were approved by the welfare council.

In early 1950 the committee recommended that the centers be continued in their present form, including the method of appropriation from state funds rather than local levy.

The committee favored administration by the Department of Education. Centers should be limited in use to needy families, but eligibility should be based upon net take-home pay rather than gross earnings as at present. Some allowance should be made for increased cost of living since 1936.

In response to questioning, Mr. Cranston felt that it would be difficult to establish criteria for determining hardship cases. He stated that the recommendation for continuing administration in the Department of

Education was based upon their experience and available facilities and their being better equipped to meet educational needs of children. He felt that half of the families would be eligible for aid to needy children assistance if the centers were discontinued and parents forced to quit work. He stated that as far as he knew no plans were being formulated for local community action in the event that the present program is not extended beyond February 15, 1951, by the Legislature.

Mrs. Edith Warren Quinn, Commissioner, Fifth Area Member, Child Welfare Commission, Department of California, American Legion

Stated that the American Legion has for some time favored continuation of child care centers. Read Resolution 120 of the 1949 Department Convention commending the Governor and the Legislature for action in continuing child care centers.

There are "thousands" of veterans widows with small children who receive pensions insufficient for family needs and families with disabled veterans in which mothers must work and are unable to afford private day nursery care.

Stressed economy of operating centers rather than provide assistance to families and aspect of prevention of juvenile delinquency by providing after-school supervision of children of working parents.

In response to a suggestion by a committee member that federal financial assistance be sought, such as through the Lanham Act, stated that she would place a resolution before the American Legion Convention meeting in Sacramento beginning August 13th.

Mrs. Nancy E. Wessell, an individual

Mrs. Wessell stated that her testimony was based upon a study in which she participated for the PTA but that she was representing only herself and not the PTA.

She estimated that half of the families using the centers would be on relief if the centers were not available, and emphasized the value of helping persons to help themselves. She felt that the centers represented a considerable savings to the State over relief expenditures that would be incurred if the centers were not available, but stated that even if there were no savings she would advocate continuation of the centers.

Recommended that the program be made permanent for ease in administration and greater economy. Felt that the need will always continue.

Suggested elimination of special veteran provision feeling that most could qualify under the needs test anyhow. Stated no further need for exemption of teachers from means test and suggested question of nurses exemption be investigated. Emphasized that it is a welfare program, not an educational one and cautioned against enlarging program on an educational basis, avoiding removing children from their homes except through economic necessity.

Questioned present method of determining eligibility and felt that welfare departments would be better equipped to screen applicants on referral from the schools.

Prefers present financial arrangement due to present burden on counties, and their reliance upon property taxes, but suggested a possible one-third state, one-third county welfare, and one-third parent fee arrangement. Advocated making provision for hardship cases, citing a situation in which a family burdened with medical and hospital debts was denied use of centers on the basis of their current income status.

Suggested a permanent and flexible means test, keyed to the cost of living index, with the welfare departments determining hardship cases.

Recommended more uniform costs of operations, referring to different teacher-pupil ratios in counties and variation in teachers salaries. Suggested a state uniform minimum for number of teachers to children and for salaries, with counties permitted to make up difference between minimum and what the county wished to establish.

Suggested that appropriation be based upon average daily attendance for the previous year, or upon the registration.

In response to a question from the committee as to advisability of seeking federal aid for the centers, Mrs Wessell stated she would be opposed to asking for federal assistance.

Mrs. Worrell, League of Women Voters

Mrs. Worrell outlined the policy of the League of Women Voters that it is a public responsibility to make child care centers available and that these should be integrated with the Public School System. The league favors administration by the school districts under the supervision of the State Department of Education. Financing suggested was on a basis of parent fees and sharing of costs by the State, county, and school districts.

Mrs. Worrell stated that the league favors the continuation of the centers and that they have always supported the program.

Mrs. Paula D Hamm, First Vice Chairman, California Parents Association for Child Care

Mrs. Hamm explained that she is the delegate for San Diego for the association.

She emphasized the desirability of an investment in helping families be independent rather than dependent upon welfare assistance and stated that there will always be a need for helping low income families. She stressed the social values of helping families as an economic unit and of the care provided children in the centers.

Maintained that the program meets a specific and serious need in an acceptable manner and that the need was not a war emergency need but one that has existed for some time.

Favored the program under the State Department of Education on the basis that it was primarily educational rather than custodial; that it is more economically administered than under a welfare department because of available plant facilities and staffing in the educational department.

Believes it would be impossible for local agencies to handle the program. Cannot be subsidized through the community chest because of present load of chest agencies and would be a burden on local taxpayers if county financed.

Recommended be continued on a permanent basis and supported by state appropriation and parent fees, and continued under the Department of Education.

Recommended that change in cost of living be considered and adjustment made in income brackets accordingly.

Referred to problems of mothers whose husbands are in armed services and allotment insufficient for family support; to women being recalled by aircraft plants whose earnings will exceed wage limitations established for eligibility for use of centers; and to women who must return to work because of high living costs and who have need of centers even though family earnings may exceed the established limits.

Recommended income scale be set up to $300 maximum for single parent families and $400 maximum for two-parent families. Suggested that if the upper limits are raised fees from parents will increase since parent percentage of support increases with income under the fee schedule.

During questioning Mrs. Hamm stated that fees of private centers run from $20 to $25 per week and that these centers are usually open only from 8 to 4 or 9 to 5.

She stated there are many hardship cases in which persons support relatives or are burdened by cost of illness but cannot utilize centers because of the rigid income schedule.

Opposed removing teachers exemption.

Mr. Frank M. Wright, Associate Superintendent of Public Instruction, and Mr. John R. Weber, Supervisor of Child Care Centers, Department of Education

Mr. Wright submitted a prepared statement including a detailed fact sheet. He testified that the department believes a definite need continues for child care services and that the interests of parents and children are better served when the parent assumes a fair share of the cost of care rather than to place the family on relief. He emphasized that the schools are best able to operate the centers through use of buildings, facilities, administrative personnel and other services available.

If the program should continue, it should receive sufficient financial support to enable the operating units to carry out the law. School districts have been compelled to reduce operating costs largely at the expense of personnel who have had to forego regular salary increments available to other school employees.

In discussion with the committee, Mr. Wright stated that there continues to be a shortage of teachers but had no comment on whether or not the existing exemption for teachers and nurses should be continued.

He favored a rigid means test without discretion or flexibility. He stated that the program should be expanded to cover the existing waiting list.

Mr. LeRoy E. Goodbody, an individual

Mr. Goodbody recommended that the program be on a local level rather than on a state-wide basis and that legislation be permissive rather than mandatory. He felt that the program had no place in the school department and that it was primarily a custodial program.

Reverend Father Byrnes representing Catholic hierarchy and welfare directors of California, Catholic Church

Opposed centers as permanent part of school system. Should be administered through Department of Social Welfare on a basis of licensing. Local needs should determine the program.

Stated centers were based on a wartime need not now existing and referred to unemployment problem.

Opposed to any program making it possible to place all children in state operated nurseries, regardless of need.

Felt that need is only in about six counties and is thus so localized that there is a real question whether it should be state supported.

Eligibility requirements should recognize principle that it is in the best interests of children that the mother have the opportunity to care for them at home whenever possible.

Stated there is evidence that some promoters of day care centers aim at development into compulsory public nursery schools.

Maintained that a public school system should attempt no more than it can efficiently staff, administer and finance. Stated that a state program requires as much money as a local one and derives revenue from the same source—taxes.

Concluded testimony as follows: "The public day care program should be operated in communities where a need is demonstrated. It should have the same state control by the Department of Social Welfare as private day care centers. The local administration should be independent of the Public School System."

San Francisco, September 7, 1950

Dr. Herbert Clish, Superintendent, Board of Education, San Francisco

The Board of Education has not taken formal action concerning the future status of the program, but its members feel there continues a need but that the cost of the centers is too great for the school district to finance. The district is not interested in financing the centers, but is willing to continue to operate them with state financing.

Dr. Clish suggested the following changes in the program:

1. Priority for children whose fathers have entered the armed forces without regard to income limitations;
2. Continue exemptions for veterans attending school until they complete their education even though time involved in the program under the G.I. Bill of Rights may expire before then.

In answer to a question from Mr. Levering, Dr. Clish stated that the school district has made no plans contemplating termination of state financing of the centers on February 15, 1951.

Doctor Clish submitted for the record a copy of a memorandum dated August 10, 1950, to Mrs. Therese Mahler, director, child care centers, concerning eligibility of children of fathers called into military service.

Mr. Donald Cleary, Legislative Representative, City and County of San Francisco

Mr. Cleary stated that the board of supervisors has always supported the centers and is preparing a resolution to that effect. He suggested that consideration be given in determining the maximum income for eligibility purposes to the 15 percent increase in cost of living.

In answer to a question from Mr. Levering, Mr. Cleary stated that the county considers financing of the centers to be a state concern. He said the board of supervisors has made no provision for financing them.

Mr. Lawrence Arnstein, Executive Director, San Francisco Social Hygiene Association

Mr. Arnstein read a prepared statement recommending continuation of the present program under the State Department of Education, with modifications to meet the present national emergency. The following points were brought out:

Thirteen thousand children from 11,640 families are served under the program;

A waiting list of from 2,500 to 3,500 proves the need for continuation of centers and even expansion to meet the need;

The program is essential in preventing delinquency in children and maintaining self-respect of families not wishing to go on relief rolls;

Provision for families of only one-half the total number under the relief program would cost $7,750,000 a year against present costs of about $5,000,000;

Mothers whose husbands are called into military service must take employment to supplement limited allowances for dependents;

Employment trends show an increasing demand for women in defense work;

Family purchasing power is shrinking under cost of living increases making it necessary for mothers in many two-parent families to work, and some modification in the income ceiling is necessary;

Studies show that earnings of families using the centers represent a $28,000,000 annual contribution to the economy;

The centers help to strengthen and preserve family life.

Mr. Alec Sheriff, Legal Aid Society

Mr. Sheriff maintained that day care of children is a state-wide problem and that it should be considered on that basis rather than burdening local communities with the cost of the program. He felt that unless the State continues the program the centers will not be carried on.

Rev. James M. Murray, Catholic Church

Father Murray read a statement prepared by Rt. Rev. Msgr. Flanagan, Catholic Social Service, and Rev. James Brown, Superintendent of Schools, Archdiocese of San Francisco on "The Social Value of Child Care Centers," proposing the following:

a. That in each instance there be a real and demonstrated need;
b. That a reasonable means test be required for admission;
c. That centers be administered by local authority;
d. That centers be financed by local authority insofar as possible;
e. That the program be under social welfare auspices as it is basically a social program to meet a social need.

Mrs. Rose Lee Clements, Chairman, Child Care Parents Association

Identifying herself as a working mother, due to illness of her husband, Mrs. Clements emphasized continued need for the centers. To support her contention of need, she brought out the following points:

1. There is a waiting list;
2. The well administered services of the center are a suitable solution to the problems of working mothers concerning care and supervision of children;
3. Cost-of-living wage raises have operated to exclude two-parent families who formerly used the centers and continue to need them:
4. More and more mothers in two-parent families are being forced to work because of high living costs. The definition of eligibility based on figures of almost five years ago is not realistic today. Wages that have risen with living costs exclude many families now;
5. Children of working parents need the type of care and supervision provided by the centers;
6. The Crime Study Commission on Juvenile Justice recommended in 1949, that the child care centers be continued because of economic necessity of mothers working;
7. The State should encourage people to be independent and the centers make it possible for families to avoid becoming dependent.

She stated that the "means test" is no longer realistic. Earnings of wives of men in the armed forces when added to allotments excludes them from the program and mothers working in defense industries on a longer work week may no longer be eligible. She estimated that in San Francisco 100 working mothers had been excluded or refused admittance to the program because allotments as servicemen's wives brought income above the defined level. She asked for a new definition of eligibility, especially to meet needs of servicemen's families and families involved in defense work.

Mrs. Fern Baptie, Chairman, Child Care Parents Association of San Francisco

Mrs. Baptie favored continuation of the program under administration of the Department of Education believing there would be better assurance of good standards of care than under local programs.

Mr. Charles Scully, California State Federation of Labor

Speaking on both child care centers and general social welfare matters, Mr. Scully presented a prepared statement pointing out that the federation has consistently supported state aid for child care centers. He suggested that action be taken at the special session of September, 1950, to extend the program to June 30, 1951, to allow the 1951 Regular Session more time to consider legislation for the centers.

Mrs. C. A. Chichester, Family Division, Community Welfare Council, Oakland

Stated that the community welfare council has supported and will continue to support the program on its present basis.

Mrs. Elizabeth Case, Legislative Committee, Nursery School Association of Northern California

Presented a statement covering a survey of changed conditions in child care centers made in September, 1950. Pointed out that most centers have as many children enrolled as budgets permit and that since the apppropriation was made the Korean situation has increased the need. Gave data on conditions in Pittsburg, Alameda, Oakland, Martinez, Redwood City, San Francisco, and Richmond showing a large number of applications being currently rejected because centers are operating at capacity.

Recommendations:

1. Extension of program to June 30, 1951, with further consideration in January for a two-year program at a minimum;
2. Change means test to meet existing conditions (increased costs of living and six-day work week);
3. Exempt from means test families of those in military service or war industries;
4. Substantially increase state allotment to enable increased enrollment involved in above recommendations.

She expressed the opinion that justification continues for exemption of nurses and of teachers in the outlying areas.

Mrs. Theresa S. Mahler, Director, Child Care Program, San Francisco

Presented factual data in a prepared statement covering capacity and enrollment, characteristics of families, and requests for services for the past two months in San Francisco. Pointed out that in the two months requests were rejected for 340 families with income over the ceilings and 46 in which the fathers were called into military service.

Also presented a statement of availability of alternative child care services in San Francisco. Five community chest day nurseries report capacity or over-capacity enrollment with the two largest having waiting lists of 200 and 300. Costs range from $55 to $70 per month.

Mrs. Mahler explained that statements of applicants are checked with prevailing wage rate data and where questions arise as to the accuracy of the application, contact is made with employers. Applications are rechecked every six months and at the time of reported changes in employment. They are checked every three months for self-employed persons.

She stated that adequate housing facilities for centers is one of the major problems in San Francisco.

Mrs Rhoda Kellog, Golden Gate Kindergarten Association

Filed a detailed statement covering distinctions between nursery schools and custodial care centers, including recommendations for programming, etc. Recommended a high educational level of operation of centers but that until more children can be accommodated on an educational basis that attendance be limited to certain catagories. Children whose mothers are sole support should be admitted without social investigation. Children of two-parent families should be admitted only upon certification of a social agency or of a review committee of the schools.

Recommended greater number of centers to better meet needs of parents. Stated that centers operated for less than 60 children are "wastefully costly" to run. Suggests broadening use to "educational children" determined on a basis of social need.

Stated that is a permanent problem in an industrial urban society. Recommended that greater stress be given to education in the centers and that local districts assume more responsibility. Suggested legislation permitting the districts and counties to spend money for child care in addition to use of state funds.

Mrs. Frances Shaskan, San Francisco Council of Women Shoppers

Discussed budgets for working mothers with dependent children. Felt that the present means test is inadequate for the single parent or the two-parent families.

Miss Woodward, Family and Childrens Division, San Francisco Council of Social Agencies

Made a brief statement to substantiate the statements of other witnesses concerning the need of working mothers for the child care center program.

California Conference of Social Welfare

Submitted by mail a copy of Resolution IX, adopted 1950, reaffirming support "of a permanent child care center program."

Los Angeles, October 17, 1950

Mrs. Betty L. Bachman, Legislative Chairman, California Parents' Association for Child Care

Four basic recommendations were presented:

1. Centers be established on a permanent basis;
2. Eligibility for use of centers be liberalized;
3. Administrative supervision by the State Department of Education be continued;
4. The State Government should carry primary financial responsibility.

In elaboration of these recommendations, the following points were made:

1. Women permanently in the class of single-parent family head are able to maintain family unity and their status as self-reliant persons. They contribute substantially to the economy of the State. There is expanding employment of women with more women working now than during the last war and with more and more women being drawn into the labor market. Since women must work, there must be available adequate care and supervision of children and the child care centers are the best means found so far.

Uncertainty of legislative authorization has delayed the establishment of adequate standards for training and performance of teachers.

Adequate planning of program cannot be made where continuance of the program is uncertain.

The need is permanent and demand for services is expanding. The program cannot meet the demand.

2. The cost of living has risen since establishment of the present "means test." The number of rejected parent applications is increasing, primarily on the basis of income under the "means test." Wives of men in active military service are being denied use of the centers although their need is urgent, because of the means test. The same situation applies to mothers working in national-defense industries.

A more flexible eligibility rule should be established to provide for "hardship" situations. Suggested formation of local official committees to review hardship cases and administrators given authority to waive certain eligibility requirements on recommendation of committees.

3. A change of administrative supervision to a department other than education would result in additional costs. To reproduce present housing would cost a minimum of nearly $10,000,000. Additional administrative and supervisory personnel would be required.

Young children should be supervised by skilled teachers.

There is a "public nonsympathetic appraisal" of a social welfare client that should not be applied to children in this program. Every effort should be made to encourage independence of the families. Supervision by a department other than Education would encourage dependency of the families involved. It is normal for the development of children to be supervised by the Department of Education.

4. Education and care of children of the State is a concern of the State Government and not merely a local concern. The program should be integrated at the state level with the existing educational system so that a realistic support formula can be derived. The base for local taxes is rigid and limitation of taxation in most school districts has already been reached. For school districts could raise the funds to continue the program.

In a supplemental statement the association presented the following factual material in relation to recent developments in the program:

During September in Los Angeles more than 400 servicemen's children were turned away because of the means test. This is equivalent to 10 percent of the average enrollment.

Seven hundred eighty-nine other applications were denied in September because family income was above the "means test" limits. Of these 123 families were in defense industries and 666 in other industrial work.

Although large numbers are being turned away, present enrollment in Los Angeles averaging 4,066 is 518 less than the preceding year average. This is because appropriations have been inadequate although these 518 children could be cared for in existing space if administrative appropriations permitted. (In response to questioning by the committee, Miss Bachman suggested that the upper income level for the "means test" be raised to $325 for a two-parent family.)

Mrs. Rosalie Blau, Public Relations-Legislation Chairman, Association for Nursery Education; Southern California

Submitted a prepared statement with recommendations that:

1. Child care centers be continued under state support;
2. Department of Education continue to supervise the program;
3. The means test be reviewed for possibility of raising the income level;
4. Evaluation of the success of the program and its needs and values to the community be made so that a permanent program can be established.

Emphasized contribution of centers to strengthening and supplementing the home. Stated that some 100,000 children and their families have used this program. Felt that the broader base of revenues resources at the state level makes continued state support more desirable than local, and that under state support the program could continue without interruption.

Stated that 933 children were rejected in Los Angeles City September because of the restrictive income limits.

Pointed out that many teachers in the field of early childhood education and parent education have gone into elementary school because of the insecurity of the child care center program.

In response to questioning, Mrs. Blau stated that the majority of private centers are filled and have long waiting lists. She stated costs in private centers vary according to the personnel practices and programs offered but would run from about $60 to $75 per month for a five-day week, and less hours per day than the public centers. She stated that the private centers generally discourage enrollment of two-year-olds.

Bellflower Public Schools, Board of Trustees

The board was not represented at the hearing, but submitted to the committee under date of October 3, 1950, the following statement concerning financing of the centers:

> "Mr. Krause moved that since in the Bellflower School District the taxable wealth per child is much lower than the state average, since the Bellflower School District is already exceeding the normal maximum tax rate for school operation by 35 cents for each $100 of taxable valuation, and since all expected income for the district is earmarked for essential expenditures in the regular educational program, therefore, the Board of Trustees of the Bellflower School District expresses its present intention to terminate child care center activities on February 15, 1951, in the event state financing is not available. The motion was seconded by Mr. Reeves, and it was passed unanimously."

Ruth P. Koshuk, Director, Child Care Centers, Bellflower Public Schools

Mrs. Koshuk presented a prepared statement concerning the effect of the center program on the development of the children, stating that economic need alone would not justify continuance of the program if it were established that the children's development was being hampered or

family relationships weakened. She submitted a number of condensed case histories of children using the Bellflower centers to demonstrate the value of the program in child and family development and relationships.

Rosalind G. Bates, Legislative Chairman, California Business Womens Council

Mrs. Bates informed the committee that a study of the effects of the program on the children is being conducted in three Los Angeles schools, was not yet complete, and would be reported to the committee when completed. She emphasized the value of the centers in the prevention of juvenile delinquency and in preserving the home.

She stated that the extended day care center program was equally as important as the nursery centers.

In her statement she suggested broadening of the public school program to accommodate children from two years of age and up for all families that might wish to utilize such an educational program.

Mrs. Charles D. Wood, Chairman, Child Care Centers Committee, Welfare Council of Metropolitan Los Angeles

Mrs. Wood read a prepared statement concerning support of the council of the child care centers program and its value in maintaining family unity and contributing to normal development of young children. Continued need of the program was emphasized and it was pointed out that nine communities, six of them semirural, have requested establishment of centers in the past year. Preliminary inquiry indicated that local school districts in the areas of greatest need recognize the demand but are not able to meet it with a locally financed program.

The volume of requests for day care for children has increased from an average of 154 per month in 1947 to 212 per month in 1950. Waiting lists, lack of centers geographically convenient to some areas, and eligibility requirements which do not account for living costs increases make it impossible to meet the demand.

As an example of the limitations of the present eligibility requirements, a case of a veteran with two children was cited. The wife has tuberculosis requiring hospitalization. Heavy medical expense has allowed less money for care of the children than the average family eligible for child care services would have but the children are ineligible because gross income is over the allowed amount.

Earnings of parents using centers in the state were estimated at 28 million dollars annually.

Recommended that case work services be accessible to children and families using the centers; that primary responsibility for financial support rest with the State; and that administration remain with the Department of Education, with social and health services available.

In its statement, the council pointed out that: "Traditionally the State has accepted responsibility for children with special needs. With the direct effect of California's mobility of population upon every area it should be recognized that it is equally bad for a child to be uncared for in any county and that the problem cannot be viewed as one which is regional or strictly urban in scope."

A. J. Stoddard, Superintendent, Los Angeles City Schools

An official statement of the Los Angeles City Board of Education on the child care center program was presented. This statement, dated October 9, 1950, states that: "It is the unanimous opinion * * * that the operation of child care centers should continue to be financed by other means than a local tax on property." * * * and "We therefore believe that your honorable committee should recommend to the 1951 Regular Session of the California Legislature that the continuance of child care centers be contingent upon state support and without a local tax on property. This would involve repealing that portion of Section 19613.6 of the Education Code which permits a school district to levy a tax beyond the present legal maximnum rates to support child care centers."

In discussion with committee members, Mr. Stoddard made a personal suggestion concerning financing of the program emphasizing that he was not speaking for the Board of Education but as an individual, as follows:

1. Approximately a third of the cost could be borne by the parents using the centers;
2. Local school districts could pay the same amount of education of the child in the centers as for the elementary child, receiving ADA reimbursement from the State as it does for other children;
3. That the remainder of the costs be borne by the State.

In elaboration of this method he pointed out that there are three general areas of expense involved. The "feeding services" could be covered by parent fees and should not be a burden on local taxation. Custody services are primarily a State responsibility and should be covered by State funds The educational services are a legitimate responsibility of the local school districts and these costs would be covered under the ADA system proposed.

Mr. Stoddard felt that this formula, bringing in the three parties to the program, would have advantages in maintaining local interest in the program including local pressures to improve and strengthen the program.

In answer to a question as to what would be done if the Legislature fails to appropriate funds for the program, Mr. Stoddard said that no provision has been made in the present budgets and could not be done until the budgets for the period beginning next July 1st. He said the Board of Education would be opposed even if it could raise the tax levy. He also expressed the feeling that if the program were financed entirely on a local basis local pressures would be exerted to expand the program to a point beyond which might be desirable. He stated that he was not in favor of local financing.

Mrs. A. B. Tibby, Superintendent, Compton City Schools

Mrs. Tibby presented a prepared statement in which it was stated that if state support of the program is terminated "the child care centers in this district will have to close. Because of its financial status, the district is unable to maintain and operate them as its own expense."

She presented the following as evidence of need for the centers:

Total families using the service	302
Of the 202 families with two parents, one is:	
Disabled	32
In military service	16
G. I. student	41
Teacher	22
Nurse	7

She stated that the present means test is proving a hardship for servicemen since the family income usually exceeds the maximum allowable. Mrs. Tibbey presented a supplementary statement concerning fee schedules and ability of parents to pay them. It was stated that most parents recognize the quality of the service and are willing to make sacrifices in order to pay the fee charged. They adjust the family budget to meet the fee even though in many instances this may be a real hardship. "When a family finds that they are unable to continue paying the fee, they withdraw from the service and no formal protest is made."

"Analysis of present fee schedules discloses that the percent of monthly wage required to pay each nursery school fee is between 8 percent and 10 percent of the gross income for families who are not exempt from the means test. Those who are exempt pay a relatively higher percent. This amount, especially if there is more than one child, is frequently deemed to be excessive."

It was stated that the use of gross income for basing the fee rate is unrealistic in relation to the amount available for family living expenses since "in many instances" take home pay is less than 80 percent of gross. "Basing the weekly fee on the current gross and not on the annual gross average does not recognize the hardship encountered because of seasonal occupation, slack working periods, unemployment, or illness. Living expenses continue and debts are incurred which must be met whether or not employed."

Dr. M. Evan Morgan, Santa Monica City Schools

Presented the prepared statement of the Santa Monica City Board of Education, dated September 26, 1950, stating that child care centers "are not and should not be a part of the educational system" but a "welfare function." For convenience of administration the centers "probably should be identified with and administered by the schools at the local level; but the cost of such administration should not be a charge upon school funds." The board stated that it has no funds to administer the centers and should state support be withdrawn would close them.

In answer to a question from the committee, Dr. Morgan indicated that he believed the school board could agree to the proposal by Dr. Stoddard of the Los Angeles city schools.

Mrs. Lowell Bigelow, League of Women Voters of California

Mrs. Bigelow presented the following prepared statement on behalf of the league:

"The League of Women Voters believes there should be adequate care of the children whose normal home guidance and supervision is curtailed by the mother's employment or because the responsibility for

the child reposes in one person. It is a public responsibility to make these facilities available wherever necessary. The league believes the early years of a child's life belong primarily in the home, except where there is only one parent and she must work, or where it is necessary for both parents to be employed. Furthermore, we believe in enabling legislation to allow school districts to establish child care programs, with standards on a par with other educational services offered in plant facilities, personnel and program. Further legislation and administration of a child care program should allow for an adjustment of the ceiling of the means test to conform with the purchasing power of the dollar.

"The League of Women Voters of California was instrumental in passing the first child care legislation in 1942 for the protection of children working parents, and in 1947 the league supported a bill for a continuing child care program in the Department of Education, because a temporary program will not attract and hold well-qualified staff. The child needs superior teachers, adequate health and sanitation facilities We believe these facilities are most easily available, and at less expense to the taxpayer, within the school system than elsewhere."

In discussion with committee members, Mrs. Bigelow stated that she felt the program should be larger and that there is a particular need for expansion of the program to rural areas for the use of agricultural workers.

Miss Susan Adams, Los Angeles Central Labor Council, A. F. of L.

Presented a prepared statement of the position of the A. F. of L, which "wholeheartedly urges the continuation of the child care center program under state administration and supervision, and as a program of the Department of Education, but on an expanded and permanent basis."

Pointed out that without the centers many parents would be forced to leave employment to go on relief rolls "thus adding to the burden of taxpayers while depriving our State of useful productive work and the benefit of the income therefrom." Urged that the program be on a permanent basis to meet a "permanent and growing need, since the entrance of women into the labor market is a continuing and expanding factor in our economy."

Requested that the program be expanded "to meet the *growing* needs of our State" and referred to needs of the economy to produce for defense as well as for domestic consumption, necessitating recruitment of increasing numbers of women into industry and to the induction of fathers into the armed forces, requiring mothers to seek employment

Recommended that the income limits of the "means test" be liberalized with respect to the income maximum; that the program provide for inclusion of children of servicemen and mothers whose employment is in essential defense industry or service; that it continue to be state-supported and state supervised within the Department of Education.

Urged the establishment of rural mobile units to serve the children of agricultural workers, stating "particularly do the young children of California's seasonal agricultural workers need proper daytime supervision—a need which at present is not being properly met "

Albert T. Lunceford, Greater Los Angeles C. I. O. Council

Read a prepared statement. "C. I. O. feels that it is very important that the present child care centers program be not only maintained but expanded in view of the increasing national emergency."

Recommended that the program remain under supervision of the State Department of Education, and that the centers remain a state financed program and not become a local responsibility.

"We feel that the centers should be permanent and not temporary. While the need for centers is especially acute during a national emergency, there always exists a need on the part of a large number of women who are the sole or primary support of their families These independent and self-supporting women must not be forgotten."

With reference to the means test, stated it "must be liberalized if the centers are to continue to serve the purposes for which they were set up. We have many cases, for example, who cannot qualify under the present means test, yet cost of private nursery school care is so fantastically high as to make it utterly out of reach and, too, in many localities there are no private nurseries at any price."

Requested consideration be given to the needs of families where husbands are called into service or women go to work in defense plants and that such families "ought to be eligible for child care center services by virtue of their position."

California Congress of Parents and Teachers, Inc.

The chairman read into the record a portion of a letter of October 11, 1950, from Mrs. Edward T. Walker, President, California Congress of Parents and Teachers, Inc., as follows:

> "At our September state board meeting, our legislative advocate was authorized that if child care center continuation was considered at the special session of the Legislature, our policy would be that child care centers be continued only on a temporary basis with state support, with the means test, and under the administration of the public schools. Of course, we would also agree to permit certain occupational exemptions."

Mrs. Kenneth R. Barrick, Child Progress, Inc , Altadena, California

Presented a prepared statement supporting the child care centers program, requesting that it be established on a permanent basis and "to allow a healthy expansion of the program to provide for the present and future needs of the children of the State of California."

Emphasized the value of the program for the benefit of the child rather than the working mother as such.

Spoke on the "tremendous need for the establishment of child care centers in rural areas where it is well known that many children suffer from lack of supervision, care and character development."

Stated "For services to be restricted to those who are termed 'needy' on a basis of eligibility by low income defeats the entire purpose of the program. The centers should be available, on an optional basis, to all children who require services, whether it be for reasons of financial stress, lack of any other care, psychological adjustment or character development."

Recommended temporary legislation in January, 1951, to continue the present program beyond the termination date until June 30, 1951, together with amendment of the present law to include the children of servicemen and defense workers and an adequate appropriation to cover the program until June 30, 1951.

Recommended that in March, 1951, legislation be enacted to this effect:

> "That a permanent child care centers program be established, as an educational program operated and administered by the California State Department of Education and the local boards of education; that the centers be made available, on an optional basis, to all children who require services; that the centers be allowed to expand on a state-wide basis as they are requested in the individual communities, especially that centers be established in the rural areas, including mobile units for children of California's seasonal agricultural workers; and that the child care centers appropriation be written into the budget of the State of California."

In elaboration of testimony during discussion with committee members, Mrs. Barrick made the suggestion that a certain amount of funds appropriated be limited to use in rural areas as the need for centers is proved. She also stated that she did not believe in the means test as a basis for eligibility but that the centers should be open to all children who have a need for them.

Mr. Walter Tatum, Child Care Supervisor, San Diego

Mr. Tatum spoke briefly on various phases of the program. He felt that the means test should be raised and that if it were, the fees charged might be higher. He indicated agreement with the suggestions by Dr. Stoddard of the Los Angeles schools for financing the program through parent fees—school districts—state appropriations. In connection with possible federal aid, he suggested that it might be feasible to secure federal aid for necessary buildings and equipment rather than for administrative costs.

John R. Weber, Supervisor of Child Care, State Department of Education

Mr. Weber spoke briefly, advising the committee that a survey is being made in all school districts as of December 1, 1950, and that then data can be provided the committee on waiting lists in individual centers.

In connection with the problem of families of service personnel, he stated that reports indicate that 99 percent of these families are ineligible for use of the centers under the means test.

He suggested that funds over and above the present appropriation might be frozen for use in rural areas.

Msgr. Raymond O'Flaherty, Catholic Welfare Director, Archdiocese of Los Angeles

Msgr. O'Flaherty was unable to remain to testify personally but submitted a written statement to the committee, stating the following beliefs:

1. Day care of children is basically a social problem and should be dealt with by social agencies. Supervision of the centers should be through the State Department of Social Welfare.

2. Day care should be provided only when there is a genuine necessity for the care of a child outside its own home. A reasonable means test should be maintained as part of the program.

3. Centers should be set up and financed locally when at all possible. State sponsorship and financing should be provided only when local communities are unable to operate needed programs, and then only so long as is genuinely necessary.

4. Because of the heavy load upon the school system, schools should not be called upon to expand programs by the addition of child care center responsibility, nor should limited local and state funds be diverted to finance a program which is custodial rather than educational.

Manhattan Beach Schools

Submitted a letter dated October 3, 1950, stating: "No definite plans have been made concerning the continuing of the child care center in Manhattan Beach beyond (sic) February 15, 1951." This letter, from the secretary to the board of trustees, stated that some members of the board had unofficially indicated "that due to limited funds, and the fact that the child care center does not serve too large a segment of the total population, that it might not be feasible to continue the center beyond February 15, 1951."

Glendale Unified School District

Submitted a letter dated October 10, 1950, stating: "After giving consideration to this, the members of our board instructed me to advise you that they are not ready at this time to commit themselves as to future action regarding the centers."

Mrs. John W. Barling, 16902 S. Hobart, Gardena, California

Submitted a letter to the hearing stating that she is a serviceman's wife and had been informed she was ineligible for use of the centers. Stated as follows:

> "* * * for I cannot feed and clothe my children on the government allotment, therefore, I must work. I am willing to pay a sufficient amount to keep him there, as he gets such wonderful care and loves it so." (The son had been in the center two months prior to determination of ineligibility.)

Raphael Konigsberg, Los Angeles

Submitted a telegram to the hearing: "Urge that child care centers be made a permanent state program."

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Glen McCloud of Anaheim.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Glenard P. Lipscomb of Los Angeles.

On request of Mr. Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Henry Brandon and Leon Klein of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to H. O. Williams, George Gasper, and William Peterson of Quincy, L. C. De Armand of Portola, and Roy Barkstrom of Oroville.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Arthur D. Osborn, teacher of the Biggs Union High School of Biggs, and the following pupils: Eldon Lundberg, Homer Lundberg, Robert Lantsberger, Linda Harris, Velma Phinney, Barbara Hawley, Joan Gustafson, Lois Hastain, Rita Hickey, Margene Norall, and Frances Adams.

ADJOURNMENT

At 2.38 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Wednesday, January 10, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 10, 1951

The Assembly met at 11 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—80.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Most Gracious God, our Heavenly Father: We bow in reverence before Thee, the Giver of every good and perfect gift. We humbly confess our sins with the assurance that as far as the East is from the West, so far wilt Thou remove our transgressions from us. In the days of turmoil and confusion we look unto Thee for strength and guidance Help us think clearly, speak gently, and act bravely in every hour of crisis.

"Our fathers' God, to Thee,
Author of liberty,
To Thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God, our King."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

COMMUNICATIONS

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 3, 1951

RE: House Resolution No. 77—1950 First Extraordinary Session

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

DEAR MR OHNIMUS: By House Resolution No. 77 the Department of Public Works, Division of Highways, was requested to make a survey to establish the most feasible location for a state highway route from State Highway Route 2 in the vicinity of Reseda Boulevard to State Highway Route 60 in the vicinity of Santa Monica and Sunset Boulevard, and to report thereon to the Assembly not later than January 15, 1951.

There are attached six copies of a report which has been prepared in accordance with the request contained in the resolution.

Very truly yours,

C H. PURCELL, Director of Public Works

Above transmitted six copies of report ordered referred to the Committee on Conservation, Planning, and Public Works

By Speaker Sam L Collins:

A communication from John Green, 665 Spruce Street, Los Angeles, relative to a religious and political matter, was received, and ordered referred to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 27

Relative to the continuance of the Assembly Interim Committee on Elections and Reapportionment

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

1. The Assembly Interim Committee on Elections and Reapportionment created by House Resolution No. 197 of the 1949 Regular Session is continued as an Assembly committee at this regular session, with the membership, insofar as its members are now Members of the Assembly, and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly, and of the Standing Rules of the Assembly as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

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

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 253: By Mr. Levering—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 254: By Mr. Levering—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 255: By Mr. Levering—An act to amend Sections 2223 and 2223.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law.

Referred to Committee on Judiciary.

Assembly Bill No. 256: By Mr. Levering—An act to amend Sections 1001, 1011, and 1024 of the Probate Code, and to add Section 2231 to the Welfare and Institutions Code, relating to distribution of estates, to provide for certificates of clearance from the county welfare director as to the estates of decedents 65 years of age or over.

Referred to Committee on Judiciary.

Assembly Bill No. 257: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation contained in Item 79.5 of the Budget Act of 1950, for administration and support of child care centers, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 258: By Mr. Sherwin—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 259: By Mr. Sherwin—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 260: By Mr. Lyon—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 261: By Mr. Maloney—An act to add Section 122.5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 262: By Mr. Maloney—An act to amend Section 3204 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 263: By Mr. Maloney—An act to amend Sections 4452, 4453, and 4656 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 264: By Mr. Maloney—An act to amend Section 4650 and Section 4652 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 265: By Mr. Maloney—An act to amend Section 4650 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 266: By Mr. Maloney—An act to amend Section 4656 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 267: By Mr. Maloney—An act to repeal Section 4702 and to add Section 4702 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 268: By Mr. Maloney—An act to amend Section 4702 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 269: By Messrs. Smith, Babbage, Beck, Lipscomb, Brown, Grant, and Levering—An act to add Section 1106 to the Labor Code, relating to political activities.

Referred to Committee on Industrial Relations.

Assembly Bill No. 270: By Messrs. Babbage and Stanley—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the Probation Committee.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 271: By Messrs. Babbage and Stanley—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers and deputy probation officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 272: By Messrs. Babbage and Stanley—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons and employees, and duties of the probation officer.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 273: By Messrs. Babbage and Stanley—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 274: By Mr. Beck—An act to amend Section 4903 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 275: By Mr. Beck—An act to amend Section 5405 and Section 5406 of the California Labor Code dealing with workmen's compensation

Referred to Committee on Finance and Insurance.

Assembly Bill No. 276: By Mr. Beck—An act to amend Section 5406 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 277: By Mr. Beck—An act to amend Section 5410 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 278: By Mr. Beck—An act to amend Section 5804 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 279: By Mr. Beck—An act to repeal Section 5804 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 280: By Messrs. Moss and Fleury—An act to amend Sections 18021, 18023, and 18025 of the Government Code, relating to civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 281: By Messrs. Fleury and Moss—An act to amend Section 5801 of the California Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 282: By Mr. Stewart—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Public Health.

Assembly Bill No. 283: By Mr. Stewart—An act to add Section 9540.6 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 284: By Mr. Stewart—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 285: By Mr. Stewart—An act to add Section 9540.8 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 286: By Mr. Stewart—An act to add Section 9550.1 to the Business and Professions Code, relating to the issuance of registration certificates by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 287: By Mr. Stewart—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

Referred to Committee on Public Health.

Assembly Bill No. 288: By Mr. Stewart—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 289: By Mr. Stewart—An act to add Sections 9594.1, 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Public Health.

Assembly Bill No. 290: By Mr. Stewart—An act to add Sections 9540.5, 9540.51, 9540.52, 9540.53, 9540.54, and 9540.55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 291: By Mr. Tomlinson—An act to amend Section 19437 of the Education Code, relating to civic centers.

Referred to Committee on Education.

Assembly Bill No. 292: By Mr. Dunn—An act to add Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 293: By Mr. Dunn—An act to add Sections 20176 and 20177 to the Education Code, relating to the establishment as part of the University of California of a State Laboratory for the Diagnosis of Disease in Livestock and Poultry.

Referred to Committee on Agriculture.

Assembly Bill No. 294: By Mr. Brown—An act to add Section 604.14 to the Vehicle Code, relating to ambulances.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 295: By Mr. Brown—An act to add Section 626.5 to the Agricultural Code, relating to products prepared from goat milk.

Referred to Committee on Agriculture.

Assembly Bill No. 296: By Mr. Brown—An act to amend Section 2248 of the Health and Safety Code, relating to compensation and expenses of board members.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 297: By Mr. Brown—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 298: By Mr. Brown—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

Assembly Bill No. 299: By Mr. Brown—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

Assembly Bill No. 300: By Mr. Crowley—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 301: By Mr. Stanley—An act to establish the line of ordinary high tide in Newport Bay, in the County of Orange, California, in conformity with a certain grant of the State of California,

granting tidelands and submerged lands bordering in and upon Newport Bay to the County of Orange.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 302: By Messrs. Hahn, Rosenthal, and Morris —An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of shorthand reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 303: By Mr. Hahn—An act to amend Section 29747 of the Government Code, relating to records of the county auditor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 304: By Mr. Hahn—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 305: By Messrs. Levering, Morris, and Hahn—An act to add Section 172b to the Penal Code, relating to selling, giving away, or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Crime and Correction.

Assembly Bill No. 306: By Mr. Butters—An act to amend and renumber Section 4571 of the Elections Code, relating to election campaigns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 307: By Mr. Butters—An act to amend Sections 5560 and 7072 of the Elections Code, relating to election offenses.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 308: By Mr. Butters—An act to amend Sections 5505 and 5508, and to repeal Section 5562 of the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 309: By Mr. Butters—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal initiative elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 310: By Mr. Butters—An act to amend Section 681, and to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677 of, the Elections Code, relating to election officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 311: By Mr. Geddes—An act to add Section 1648.4 to, and to amend Section 1676 of the Insurance Code, relating to insurance agents' licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 312: By Messrs. Lanterman, Stanley, Burke, and McGee—An act to amend Section 2 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 313: By Messrs. Lanterman, Stanley, Burke, and McGee—An act to amend Section 1 and Section 14½ of an act entitled "County Waterworks District Act," relating to waterworks districts, and to add Sections 6.1 and 2.1 thereto, relating to establishment of zones within county waterworks districts.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 9, 1951

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

Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 7, 1950.

Referred to Committee on Rules.

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

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

Assembly Bill No. 314: By Messrs. Lanterman, Stanley, Burke, and McGee—An act to amend Sections 2, 8.2, 9, and 9.4 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 315: By Mr. Belotti—An act to add Section 5006.2 to the Public Resources Code, relating to state payments to counties in lieu of taxes on land acquired for state parks

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 316: By Mr. Belotti—An act to add Section 810.6 to the Fish and Game Code, relating to the bag limit on clams taken from Humboldt Bay.

Referred to Committee on Fish and Game.

Assembly Bill No. 317: By Mr. Belotti—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid money, and making an appropriation for the purposes of this act.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 318: By Mr. Belotti—An act to add Section 506 to the Fish and Game Code, relating to the creation of a junior fishing reserve in part of Fish and Game District 1½, and declaring the urgency thereof.

Referred to Committee on Fish and Game.

Assembly Bill No. 319: By Mr. Belotti—An act to add Sections 5003.1, 5006.3, and 5157.4 to the Public Resources Code, relating to the powers and duties of the State Park Commission, the Department of Natural Resources, and counties in connection with public recreation areas and facilities.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 320: By Mr. Belotti—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 321: By Messrs. Belotti and Chapel—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 322: By Messrs. Doyle and Geddes—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 323: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 324: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 325: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses

Referred to Committee on Finance and Insurance.

Assembly Bill No. 326: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 327: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 328: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 329: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 20.1 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

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

The following communications were read:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and makes the following recommendation:

Approved for Press Card

Radio station KXOA—Hal Laffoon, Earle Russell

Sincerely,

EARL C. BEHRENS, President

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITAL, SACRAMENTO, January 6, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Cards

Associated Press—Morrie Landsberg, Wayne Harbert, Joseph J. Lipper, William H. Allen, Richard D. Bieser, Edward A. Olsen, Roger Barr, Al Barton, Carol Ann Carlsen.
Capitol News Service—Henry C MacArthur, Norris C. Mills.
International News Service—Neil Shaw, Frederic J. Rupp.
Fresno Bee and Modesto Bee—James McClatchy.
Los Angeles Daily News—Leslie E. Claypool.
Los Angeles Examiner—Carl Greenberg.
Los Angeles Mirror—James Bassett.
Los Angeles Times—Chester G. Hanson.
McClatchy Broadcasting Company—Tony Koester, Victor Blanks.
Oakland Tribune—Don Thomas.
Radio Station KROY—Henry Thornley, Clyde F. Coombs, William J. Radcliff, Gene Desimone.
Sacramento Bee—Herbert L. Phillips, Richard Rodda, Thomas Arden, Robert M. Blanchard, S. J. Archibald, Walter P. Jones, Myron V. Depew, George E. Helmer, Hamilton Hintz, Rudy Hickey, Alfred E. Lyons, Robert Handsaker.
San Francisco Chronicle—Earl C. Behrens.
San Francisco Call-Bulletin—C. Lyn Fox.
San Francisco Examiner—Royal W. Jimerson, A. J. Welter.
San Francisco News—Mary Ellen Leary.
United Press—Lloyd Lapham, James C. Anderson, Walter Barkdull, Edward Dolan, John Fothergill, Charles Fredericks, J. F. McLaughlin, Wayne Sargent.
San Diego Union and Evening Tribune, and *Southern California Associated Newspapers, Inc.*—Richard C. Bergholz.
Sacramento Union—J. L. Rosenberg, E. E. Nichols, Norman Deuel, Joseph Benetti.

Sincerely,

EARL C. BEHRENS, President

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

RATIFICATION OF ACTION TAKEN BY THE CAPITOL CORRESPONDENTS ASSOCIATION UNANIMOUSLY REFUSED

The following communication was read:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 6, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Card

Daily People's World—Steve Murdock

Sincerely,

EARL C. BEHRENS, President

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

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

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

Assembly Bill No. 330: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 331: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 332: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 333: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 334: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 335: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 336: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 337: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 338: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Referred to Committee on Finance and Insurance.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Moore, of the California Western States Life Insurance Company, will be in the Assembly Chamber on Thursday morning, January 11th, at 10 a.m., and will stay until 11 a.m., for the purpose of discussing with interested members facts relative to their participation in the State Retirement System benefits.

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

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

Assembly Bill No. 339: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 340: By Mr. Hansen—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

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

Assembly Bill No. 341: By Mr. Caldecott—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence.

Referred to Committee on Judiciary.

Assembly Bill No. 342: By Messrs. Lipscomb, Levering, Geddes, Morris, Dolwig, Doyle, Maloney, and Smith—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 343: By Messrs. Caldecott, Stewart, Dolwig, Fleury, and Lincoln—An act to add Chapter 3.5 comprising Sections 5615 to 5686 inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulating and licensing thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 344: By Messrs. Connolly, Lipscomb, Smith, and Rumford—An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

Referred to Committee on Public Health.

Assembly Bill No. 345: By Messrs. Connolly, Lipscomb, Smith, and Rumford—An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

Referred to Committee on Public Health.

Assembly Concurrent Resolution No. 7: By Mr. Dickey—Relative to the continuance of joint committees.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 8: By Mr. Belotti—Relative to the survey and analysis of a plan to expedite the completion of the projected modern Highway System of the State through federal loans secured by highway revenue.

Referred to Committee on Rules.

Assembly Bill No. 346: By Messrs. Geddes, Lipscomb, and Levering—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 347: By Messrs. Geddes, Lipscomb, and Levering—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares of share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, relating to shares and share accounts of federal savings and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 348: By Messrs. Geddes, Lipscomb, and Levering—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 13.13 thereof, relating to powers of the Building

and Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11 06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 349: By Messrs. Moss and Coats—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of $24,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River Debris Control Fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 350: By Mr. Coats—An act to add Section 4650.1 to the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 351: By Mr. Coats—An act to amend Section 5800 of the Labor Code, relating to findings and award of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 352: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Crowley, Levering, and Lipscomb—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 353: By Mrs. Niehouse—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 354: By Mrs. Niehouse—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to old age security, in respect to statements required concerning the granting of aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 355: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Levering, and Lipscomb—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 356: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Levering, and Lipscomb—An act to amend Section 1521 of the Welfare and Institutions Code, relating to aid to needy children, in respect to personal property qualifications therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 357: By Mrs. Niehouse—An act to add Section 6006.1 to the Revenue and Taxation Code, relating to the taxation of the privilege of selling and of storing, using or otherwise consuming tangible personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 358: By Mrs. Niehouse—An act to add Section 9952 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 359: By Mr. Levering, Mrs. Niehouse, Messrs. Burkhalter, Cooke, Crowley, and Lipscomb—An act to add Section 1551.5 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 360: By Messrs. Cooke, Burkhalter, Crowley, Levering, and Lipscomb—An act to amend Sections 2021, 2160, 2187, and 2200 of the Welfare and Institutions Code, relating to old age security, in respect to county residence.

Referred to Committee on Social Welfare.

Assembly Bill No. 361: By Mr. Levering, Mrs. Niehouse, Messrs. Burkhalter, Crowley, and Lipscomb—An act to add Section 2160.9 to the Welfare and Institutions Code, relating to old age security, in respect to recipients who have removed from the State of California.

Referred to Committee on Social Welfare.

Assembly Bill No. 362: By Messrs. Cooke, Burkhalter, Crowley, Levering, and Lipscomb—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 363: By Messrs. Crowley, Cooke, Mrs. Niehouse, Messrs. Burkhalter, Levering, and Lipscomb—An act to add Section 1523.1 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 364: By Mr. Rosenthal—An act to amend Sections 19601, 19608, 19613, and 19613.7, and to repeal Sections 19613.5 and 19617 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 365: By Mr. Rosenthal—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Referred to Committee on Judiciary.

Assembly Bill No. 366: By Mr. Rosenthal—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports

Referred to Committee on Judiciary.

Assembly Bill No. 367: By Mr. Rosenthal—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees.

Referred to Committee on Judiciary.

Assembly Bill No. 368: By Mr. Luckel—An act to amend Section 10203 of the Insurance Code relating to group insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 369: By Mr. Luckel—An act to add Section 81 to the Labor Code, relating to Deputy Labor Commissioners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 370: By Mr. George D. Collins—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

Referred to Committee on Judiciary.

Assembly Bill No. 371: By Messrs. Davis and Lindsay—An act to add Section 492 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 372: By Messrs. Davis and Lindsay—An act to add Section 471 to the Government Code, relating to congressional districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 373: By Mr. Dunn—An act to amend Section 3208 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 374: By Mr. Dunn—An act to amend Section 3208 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 28

Relative to the continuance of Assembly interim committees

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

1. Each committee previously created by the Assembly of California and in existence on January 7, 1951, except the Assembly Legislative Process Committee which was continued as an interim committee by House Resolution No. 16, adopted

January 8, 1951, is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of each committee shall be filled by the appointing power.

2. Each such committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as soon as such rules are adopted at this session or amended from time to time, become applicable to each committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to each such committee and the members thereof

4. The unexpended balance of the money heretofore made available to each such committee continued by this resolution shall continue to be available for the expenses of the committee to which it was heretofore available and the members thereof and for any charges, expenses, or claims each such committee may incur under this resolution, to be disbursed in the manner heretofore provided

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 28, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

Mr. Speaker: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 7

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

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without reference to file, that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to the continuance of joint committees.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72.

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 375: By Mr. Dunn—An act to amend Section 54 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 376: By Mr. Dunn—An act to amend Section 7 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 377: By Mr. Dunn—An act to amend Section 7 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 378: By Mr. Dunn—An act to amend Section 7 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 379: By Mr. Dunn—An act to add Section 54.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 380: By Mr. Dunn—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools

Referred to Committee on Education.

Assembly Bill No. 381: By Mr. Stanley—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

Referred to Committee on Agriculture.

Assembly Bill No. 382: By Mr. Lindsay—An act to add Section 506 to the Fish and Game Code, relating to game fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 383: By Mr. Dickey—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees.

Referred to Committee on Judiciary.

Assembly Bill No. 384: By Mr. Dickey—An act to add Section 31648.1 to the Government Code, relating to the retirement of county employees and officers and attaches of the superior court.

Referred to Committee on Judiciary.

CONSIDERATION OF HOUSE RESOLUTION NO. 13

By Mr. Dickey:

House Resolution No. 13

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes to each Member of the Assembly, and one (1) complete set of the codes to the Chief Clerk of the Assembly.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No. 13 as it appears on page 10 of the Assembly Journal of January 8, 1951, page 10, and insert

"*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California consisting of thirty-two (32) volumes including the 1949 Pocket Supplements; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes, including the 1949 Pocket Supplements, to each Member of the Assembly, and one (1) complete set of the codes, including the 1949 Pocket Supplements, to the Chief Clerk of the Assembly."

Amendment read.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Consideration of House Resolution No. 13, as Amended

By Mr. Dickey:

House Resolution No. 13

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California consisting of thirty-two (32) volumes including the 1949 Pocket Supplements; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes, including the 1949 Pocket Supplements, to each Member of the Assembly, and one (1) complete set of the codes, including the 1949 Pocket Supplements, to the Chief Clerk of the Assembly.

Resolution read, as amended.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 12

By Mr. Doyle:

House Resolution No. 12

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

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

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

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No 12, as printed on page 10 of the Assembly Journal of January 8, 1951, and insert

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

Resolved, That no additional mailing list shall be allowed or authorized unless the sum of one hundred fifty dollars ($150) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

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

Amendment read, and adopted.

Consideration of House Resolution No. 12, as Amended

By Mr. Doyle:

House Resolution No. 12

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

Resolved, That no additional mailing list shall be allowed or authorized unless the sum of one hundred fifty dollars ($150) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

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

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 17
House Resolution No. 22
House Resolution No. 25

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

DICKEY, Chairman

Above reported resolutions ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 17

By Mr. McCollister:

House Resolution No. 17

Relating to an investigation and report concerning the advisability of resetting the boundaries of Mount Tamalpais Game Refuge

WHEREAS, The population in the area constituting Fish and Game District 2B (Mount Tamalpais Game Refuge) has increased tremendously in the past decade; and

WHEREAS, Due to the increase in the population and other factors, including a possible overabundance of deer and other animals, it may be necessary or desirable to reconstitute the district; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission be and it is hereby requested to investigate, and consider the advisability of redefining the boundaries of Fish and Game District 2B, including in its investigation the expanding growth of population within the district, the possible overabundance of animal life therein, the number of cities therein, and other factors deemed pertinent by the commission, and to report thereon to the Assembly not later than April 15, 1951, including in its report recommendations for any legislation deemed necessary or desirable; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a copy of this resolution to the Fish and Game Commission.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 25

By Mr. Maloney:

House Resolution No. 25

Relating to the preparation of the Legislative Digest and Interim Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel is hereby directed to prepare a Legislative Digest and Interim Subject List of all bills, constitutional amendments, and resolutions introduced in the January portion of the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of said publications be mailed to the Members of the Legislature as soon as possible after the printing thereof; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to cause to be printed, not to exceed 2,500 copies of the Legislative Digest and Interim Subject List for the 1951 Regular Session, or of each if they be published separately, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 22

By Messrs. Fleury, Maloney, and Moss:

House Resolution No. 22

Relating to adjournment in respect to the memory of Jess Hession

WHEREAS, The Members of the Legislature were profoundly shocked to learn of the death of Jess Hession in his home at San Mateo on December 12, 1950; and

WHEREAS, Jess had served the State of California for 20 years as Deputy Attorney General, and Deputy Director of Finance, and while performing his public functions, had devoted much of his spare time to the civic and fraternal life of the community, accumulating a vast host of friends both within and without state service, all of whom unite with the Members of the Legislature in mourning the loss of a dear personal friend; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their sorrow at the death of this man who had served this State so well and been a close personal friend to so many; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution as an expression of the Assembly of California to his surviving wife, Mrs. Mabel Hession and to his sons Dennis Hession and Jess Hession, Jr.; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Jess Hession.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 6

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

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 1

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

DICKEY, Chairman

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to aid to our enemy.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 22, of the printed measure, after "over", stirke out "40,000", and insert "50,000".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following amendments to the proposed Standing Rules of the Assembly:

Amendment No. 1

Strike out Rule 12.5, and insert

"12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section."

Amendment No. 2

Strike out Rule 45, and insert

"45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading."

DICKEY, Chairman

Report read.

CONSIDERATION OF HOUSE RESOLUTION NO. 23

By Mr. Dolwig:

House Resolution No. 23—Relative to the adoption of the Permanent Standing Rules of the Assembly for the 1951 Regular Session.

Resolution read.

Consideration of Amendments

Amendments recommended by Committee on Rules read.

Division of the Question

Mr. Dolwig asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

Strike out Rule 12.5, and insert

"12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section."

Amendment read, and adopted.

Consideration of Amendment No. 2

Amendment No. 2

Strike out Rule 45, and insert

"45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading."

Amendment read.

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

AYES—Babbage, Berry, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Colher, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McGee, Meyers, Morris, Moss, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—50.

NOES—Beck, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Davis, Dills, Elliott, Evans, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Klocksiem, McCollister, McFall, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—25.

Consideration of House Resolution No. 23, as Amended

By Mr. Dolwig:

House Resolution No. 23

Relative to the adoption of the Permanent Standing Rules of the Assembly for the 1951 Regular Session

Resolved by the Assembly of the State of California, That the following be, and same are, hereby adopted as the Permanent Standing Rules of the Assembly for the 1951 Regular Session.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1951 REGULAR SESSION

SECTION 1

LEGISLATIVE ORGANIZATION

Assignment of Desks to Members

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

Hours of Meeting

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

Following the constitutional recess, the Assembly shall meet promptly at 9.30 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

RULES

Adoption of Standing Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rules

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

Parliamentary Rules

7. In all cases not provided for by the Constitution, by the Assembly Rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual of Legislative Procedure.

STANDING COMMITTEES

Standing Committees

8. For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

A. LEGISLATURE:

Two committees to consider legislative organization, functions and procedure:

Committee on Rules

There is a Committee on Rules, No. 1, which shall act as an executive committee of the House having the following powers:

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

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

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

To consider and report on bills introduced after the constitutional recess,

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules.
2. Legislative Procedure.
3. Conservation, Planning, and Public Works.
4. Fish and Game.
5. Governmental Efficiency and Economy.
6. Revenue and Taxation.
7. Ways and Means.
8. Education.
9. Boards and Commissions.
10. Public Health.
11. Social Welfare.
12. Civil Service and State Personnel.
13. Military Affairs.
14. Municipal and County Government.
15. Elections and Reapportionment
16. Judiciary.
17. Constitutional Amendments.
18. Agriculture.
19. Public Utilities and Corporations.
20. Manufacturing, Oil, and Mining Industry.
21. Industrial Relations.
22. Finance and Insurance.
23. Transportation and Commerce.

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

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

Motions to Change Membership or Numbers of Standing Committees

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

SECTION 2

HOUSE FUNCTIONS

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

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

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

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

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

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

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

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

Duties of the Speaker pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or the Chairman of the Committee on Rules.

12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Duties of the Chief Assistant Sergeant-at-Arms

13.5. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Miscellaneous

Admission to Assembly Chamber

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the Balcony shall be reserved for those holding guest cards; provided, that none of the above-mentioned persons in this rule shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

Special Assembly Committee on Legislative Representation

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

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

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

The committee shall consist of five Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative Auditor as executive secretary of this committee to act without compensation.

Smoking in Assembly Chamber

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

Fees for Witnesses

23. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

Press Privileges

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

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

SECTION 3
LEGISLATIVE PROCEDURE

Speaker to Call Assembly to Order

25. The Speaker, or in his absence the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

The functions of the temporary chairman shall terminate upon return of the Speaker or Speaker pro Tempore.

Roll Call and Quorum

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

Order of Business

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

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

Pledging Allegiance to the Flag

28. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers,

attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Reading, Correcting and Approving Journals

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

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

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

Presentation of Petitions

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

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

Messages From the Governor

31. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

Messages From the Senate

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

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

Bills

Bills Defined

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

Introduction and Reference of Bills

34. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference

of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

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

Reference of Bills to Committee

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

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

Examining of Bills by Legislative Counsel Bureau

36. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule.

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

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

Introduction of Bills After Constitutional Recess

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

During the portion of the session prior to the constitutional recess and after the end of the second week following the convening of the session, no Member of the Assembly shall introduce any bill, other than the Budget Bill, at the request of or on behalf of any state officer, department, board, bureau, or commission, without first obtaining permission to do so. Any member who desires to introduce such a bill after the end of the second week of the session shall send it to the clerk's desk, accompanied by a written request for permission to introduce it. The bill may be introduced only after the adoption of a motion by the Assembly that permission be granted to the member to do so. The adoption of such a motion shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

Standing Committee Functions

Standing Committee Rules

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

A majority of the committee members present may order a call of the committee.

Meetings of Standing Committees

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

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

Committee Quorum

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

Bills Reported Back to Assembly

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

Reports of Committees

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

Signing Bills Out of Committee

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

Committee of the Whole

44. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

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

Committee on Ways and Means

45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading.

Committee Expenditures

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

Reports of Interim Committees

47. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth day after the convening thereof.

Effect of Adoption of These Rules

47.5. The adoption of the Standing Rules of a budget session shall not be construed as modifying or rescinding the Permanent Standing Rules of the Assembly for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

Passage of Bills

Daily File

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

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

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

Inactive File

48.5. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

Record of Bills

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

52. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate an extra copy of the proposed amendment must be delivered to the Clerk's desk and made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Bills Considered During Period Prior to Final Adjournment

55.5. See Joint Rule 23 for provisions governing bills considered during this period.

Concurrence in Senate Amendments

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

Nonconcurrence in Senate Amendments

57. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a Committee of Three (3) on Conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

Committee on Conference

58. The Speaker, in appointing a Committee on Conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

59. The Chairman of the Senate Committee on Conference for the same bill shall arrange the time and place of meeting of such committee It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the Committee on Conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill. The presentation and consideration of any report of a Committee on Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report It shall require an affirmative recorded vote of two-thirds

of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

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

Engrossing and Enrolling Bills

60. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

Enrollment

61. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Legislative Procedure shall report both the day and the hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal

SECTION 4

PARLIAMENTARY PROCEDURE

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

63. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 62 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

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

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

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

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

Speaker Explains Order of Business

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

68. A motion to lay on the table is not debatable and cannot be amended.

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

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

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

The Previous Question

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

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

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 68.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Constitution of Motions

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

Division of Questions

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

Withdrawal of Motions

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

Motion to Be Germane

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

Motion to Withdraw and Recall Bills

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

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

Bills Stricken From File

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

Motion to Rescind Action and Expunge Record

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

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

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

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

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

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

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

Call of Assembly

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

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State Police, and Sheriffs or their deputies, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No

call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered shall become the immediate order of business before the Assembly.

Resolutions

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

Motions and Resolutions

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

Adjournment

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

Members' Decorum and Privileges

Order in Speaking to Questions

89. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

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

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Members Called to Order for Transgressing Rules

93. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

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

Members Voting

94. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

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

Ayes and Noes

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

Voting Not to Be Interrupted

96. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

Members at Clerk's Desk

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

Tie Vote

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

"Two-thirds of the Entire Elected Membership" Defined

99. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

100. Pursuant to the powers vested in the Assembly Committee on Rules or the Assembly Legislative Process Committee, and during such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution read, as amended.

Division of the Question

Mr. Hinckley asked for a division of the question, and that line numbered 9, in Rule 8, be voted upon separately.

Division of the Question
Consideration of House Resolution No. 23, as Amended, Except for Line Numbered 9 in Rule 8

Resolution read, with exception deleted.

The roll was called, and the resolution, as amended, adopted by the following vote without the inclusion of line numbered 9 in Rule 8.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None.

Consideration of Line Numbered 9 in Rule 8 of Resolution No. 23

9. Boards and Commissions

The roll was called, and the above portion of the Standing Rules adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Burke, Collier, George D. Collins, Fleury, Hahn, Hinckley, Kirkwood, and Lowrey—8.

Final Consideration of House Resolution No. 23, as Amended

The roll was called, and the resolution relative to the Standing Rules adopted, as amended, by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—75.

NOES—George D. Collins—1.

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

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

Assembly Bill No. 385: By Messrs. Rumford and Connolly—An act to add Section 29015 to, and to amend Section 29020 of, the Health and Safety Code, relating to dangerous drugs and to hypnotic drugs

Referred to Committee on Public Health.

Assembly Bill No. 386: By Messrs. Connolly, Hahn, and Geddes—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax

Referred to Committee on Revenue and Taxation

Assembly Bill No. 387: By Mr. Geddes—An act to add Section 214 5 to the Revenue and Taxation Code, relating to exemption from property taxes

Referred to Committee on Revenue and Taxation

Assembly Bill No. 388: By. Mr. Connolly—An act to amend Section 674 of the Code of Civil Procedure, relating to judgment liens.

Referred to Committee on Judiciary.

Assembly Bill No. 389: By Messrs. Evans, Grant, Dickey, and Stewart—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 390: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 391: By Mr. Condon—An act to amend Section 57 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 392: By Mr. Condon—An act to amend Section 1 and Section 57 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 393: By Mr. Condon—An act to amend Section 1 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 394: By Mr. Condon—An act to amend Section 13 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 395: By Mr. Condon—An act to add Section 38 1 to the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 396: By Mr. Condon—An act to repeal Sections 39, 39 1, 40, 41, 41.1, 41.2, 41 3, 41 5, 42, and 47 of the California Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 397: By Mr. Condon—An act to repeal Section 39.1 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 398: By Mr. Condon—An act to amend Section 56 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 399: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 400: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 401: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Referred to Committee on Industrial Relations.

Assembly Bill No. 402: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained by serious and wilful misconduct.

Referred to Committee on Industrial Relations.

Assembly Bill No. 403: By Messrs. Gaffney, George D. Collins, and Berry—An act to add Section 4664 to the Labor Code, relating to workmen's compensation benefits for workers with dependents.

Referred to Committee on Industrial Relations

Assembly Bill No. 404: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Referred to Committee on Industrial Relations

Assembly Bill No. 405: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4751 of the Labor Code, relating to subsequent injuries payments under workmen's compensation.

Referred to Committee on Industrial Relations

Assembly Bill No. 406: By Mr. Evans—An act requiring the installation and maintenance of windshield wipers and heating and defrosting equipment on all streetcars and motor coaches; and providing penalties for its violation.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 407: By Mr. Doyle—An act to amend Section 7315 of the Business and Professions Code dealing with cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 408: By Mr. Doyle—An act to repeal Section 1647.5 of the Labor Code, relating to employment agencies

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 409: By Mr. Rosenthal—An act to add Section 1631 1 to the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 410: By Mr. Rosenthal—An act to amend Section 1630 1 of the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 411: By Mr. Rosenthal—An act to repeal Chapter 1 of Part 6 of Division 2 of the Labor Code, and to add Section 1550 to the Labor Code, relating to private employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 412: By Mr Rosenthal—An act to add Section 1682 to the Labor Code, relating to state employment bureaus.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 413: By Mr. Evans—An act to add Section 1141 to the Labor Code, relating to discrimination in employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 414: By Mr. Henderson—An act to amend Section 4605 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 415: By Mr. Henderson—An act to amend Sections 4600 and 4601 of, and to repeal Sections 4602 and 4603 of, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 416: By Mr. Henderson—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Mr. Thomas:

House Resolution No. 29

Relative to the creation of the Assembly Interim Committee on the Borough Form of City Government

WHEREAS, The great influx of people into this State has caused large increases in population of the metropolitan areas of this State; and

WHEREAS, This has resulted in the development of many separate communities within the metropolitan areas but removed from the centers of such areas, each with its own needs and problems; and

WHEREAS, Other great metropolitan areas such as New York and London, in order to meet the special problems caused by this development of separate communities, have seen fit to establish therein the borough form of city government; and

WHEREAS, The borough form of city government might well aid in the solution of these special problems in the metropolitan areas of this State; now, therefore, be it

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

1. The Assembly Interim Committee on the Borough Form of City Government is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the feasibility of the borough form of city government, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

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

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

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

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

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

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

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

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

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

6. The committee, or any subcommittee thereof when so authorized by the committee, is authorized to leave the State and to meet and act at any place within the United States in connection with the investigation committed to it.

7. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it

may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

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

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

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

Assembly Bill No. 417: By Mr. Waters—An act to amend Sections 8530, 8550, 8602, 8625, 8642, and 8645 of the Elections Code, relating to election contests.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 418: By Mr. Brown—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered.

Referred to Committee on Public Health.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

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

AGRICULTURE—Clarke (Chairman), Cooke (Vice Chairman), Babbage, Belotti, Brown, Butters, Cloyed, Davis, Erwin, Gubser, Hagen, Hansen, Henderson, Kelly, Lindsay, Lowrey, McCollister, McFall, Porter, Shaw, and Silliman.

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

CONSERVATION, PLANNING, AND PUBLIC WORKS—Silliman (Chairman), Lindsay (Vice Chairman), Clarke, Hagen, Hansen, Lincoln, Lowrey, Luckel, and McMillan.

CONSTITUTIONAL AMENDMENTS—Crowley (Chairman), Maloney (Vice Chairman), Belotti, Brown, Dickey, Lyon, and Rosenthal.

BOARDS AND COMMISSIONS—McMillan (Chairman), Lincoln (Vice Chairman), Condon, Doyle, Kilpatrick, Maloney, and McCollister.

EDUCATION—Dunn (Chairman), Beck (Vice Chairman), Babbage, Burkhalter, Caldecott, Chapel, Collier, Condon, Gaffney, Geddes, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, McFall, McGee, Moss, Niehouse, Parker, Porter, and Tomlinson.

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

FINANCE AND INSURANCE—Geddes (Chairman), Dolwig (Vice Chairman), Beck, Dunn, Grunsky, Kelly, Lanterman, Levering, Lipscomb, Lyon, Maloney, Meyers, Morris, Rosenthal, and Smith

FISH AND GAME—Erwin (Chairman), Thomas (Vice Chairman), Butters, Burkhalter, Davis, Doyle, Hahn, Hinckley, Lindsay, Luckel, and Stanley.

GOVERNMENTAL EFFICIENCY AND ECONOMY—Stewart (Chairman), Hinckley (Vice Chairman), Brown, Conrad, Evans, Grunsky, Gubser, Lanterman, Levering, Lincoln, Lipscomb, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Rumford, Sherwin, Thomas, and Waters.

INDUSTRIAL RELATIONS—Levering (Chairman), Gaffney (Vice Chairman), Berry, Collier, Condon, Elliott, Henderson, Hollibaugh, Kirkwood, and Parker.

JUDICIARY—Brown (Chairman), Rosenthal (Vice Chairman), Babbage, Beck, Brady, Caldecott, Coats, George D. Collins, Connolly, Crowley, Dickey, Dolwig, Fleury, Grunsky, McCarthy, McFall, McGee, Munnell, Shaw, Smith, and Tomlinson

LEGISLATIVE PROCEDURE—Burke (Chairman), Grunsky (Vice Chairman), and Elliott.

MANUFACTURING, OIL, AND MINING INDUSTRY—Morris (Chairman), Porter (Vice Chairman), Brady, Davis, Dunn, Grant, Henderson, Hollibaugh, Kelly, Kilpatrick, and Lyon.

MILITARY AFFAIRS—McCollister (Chairman), Grant (Vice Chairman), Coats, Cooke, Dills, Niehouse, Stanley, and Stewart.

MUNICIPAL AND COUNTY GOVERNMENT—Stanley (Chairman), Hahn (Vice Chairman), Burke, Coats, Hollibaugh, Klocksiem, Lanterman, Rumford, and Stewart.

PUBLIC HEALTH—Connolly (Chairman), Smith (Vice Chairman), Dills, Grant, Lipscomb, Rumford, and Shaw.

PUBLIC UTILITIES AND CORPORATIONS—Evans (Chairman), Brady (Vice Chairman), Berry, Burke, Burkhalter, Dickey, Dills, Grant, Hagen, Hawkins, Luckel, McGee, Morris, and Stewart.

REVENUE AND TAXATION—Hollibaugh (Chairman), Dills (Vice Chairman), Chapel, Cloyed, Doyle, Evans, Geddes, Gubser, Hahn, Hansen, Hawkins, McCarthy, Morris, Rosenthal, Sherwin, and Thomas.

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

SOCIAL WELFARE—Niehouse (Chairman), Kilpatrick (Vice Chairman), Condon, Cooke, Elliott, Kirkwood, Klocksiem, and Lanterman.

TRANSPORTATION AND COMMERCE—Luckel (Chairman), Berry (Vice Chairman), Belotti, Chapel, Lindsay, Meyers, and Parker

WAYS AND MEANS—Sherwin (Chairman), Lowrey (Vice Chairman), Babbage, Butters, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Erwin, Fleury, Gaffney, Hagen, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, McCarthy, Meyers, Moss, Munnell, Porter, Silliman, Tomlinson, and Waters.

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

The following resolution was offered:

Assembly Joint Resolution No. 2: By Messrs. Maloney, Thomas, Porter, Brady, Gaffney, Berry, George D. Collins, Condon, Connolly, Crowley, McCarthy, and Meyers—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities.

Referred to Committee on Rules.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

Letter of Transmittal

STATE OF CALIFORNIA
STATE FIRE MARSHAL
SACRAMENTO, January 8, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SIR: Pursuant to Assembly Concurrent Resolution No. 91, I am submitting herewith a report of my findings on a study of facts relating to the storage, use, and handling of liquefied petroleum gas in California.

It is my recommendation that state laws, regulations, and their administration be strengthened by adoption of one of the two plans proposed in the attached report

in order that fire and explosion hazards, resulting from careless use of this product, may be reduced to the minimum.

In view of present-day conditions, it is my recommendation that Plan No. 1 (shown on page 9 of the report) be followed, but that in future years, when conditions warrant, Plan No 1 be expanded to include the major features of Plan No. 2.

Respectfully submitted,

JOE R. YOCKERS, State Fire Marshal

Above mentioned report ordered referred to the Committee on Manufacturing, Oil, and Mining Industry.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the following letter of transmittal and Report of the Assembly Interim Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum (H. R. 195, 1949 Session) be ordered printed in the Journal in 10 point type.

REPORT OF THE CALIFORNIA STATE ASSEMBLY COMMITTEE ON "STATE-FEDERAL COOPERATION IN THE DISCOVERY, PRODUCTION, TRANSPORTATION, REFINING, AND USE OF PETROLEUM"

Created by Assembly House Resolution No. 195, June 28, 1949

MEMBERS OF THE COMMITTEE

CARL FLETCHER, Chairman
FRANCIS DUNN, JR.
JAMES G. CRICHTON
SAM L. COLLINS
JONATHAN J. HOLLIBAUGH

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
December 31, 1950

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol Building, Sacramento, California

DEAR SPEAKER COLLINS: Attached hereto is the Report of the California State Assembly Committee On State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum created by House Resolution No. 195—1949 Session.

Respectfully submitted,

CARL FLETCHER, Chairman

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Report of the California State Assembly Committee on "State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum"

1. TEXT OF THE RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Committee of the California State Legislature on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum follows:

House Resolution No. 195

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum.

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created, and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field, now, therefore, be it

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

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

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

3. The committee is authorized to act during the session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to its final report not later than the fifteenth legislative day of that session.

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

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

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

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

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

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

(e) To meet at the State Capitol or at any other place in this State or within the United States

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

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the

expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES (* * *)—51.
NOES (* * *)— 4.

—*The Assembly Journal*, June 28, 1949

2. PERSONNEL OF THE COMMITTEE

Pursuant to the resolution creating the committee, the committee was established with the following membership:

Hon CARL FLETCHER, Chairman, Long Beach, California
Hon. SAM L. COLLINS, Fullerton, California
Hon. JAMES G. CRICHTON, Fresno, California
Hon. FRANCIS DUNN, JR., Oakland, California
Hon. JONATHAN J. HOLLIBAUGH, Huntington Park, California

3. STATUS OF THE TIDE AND SUBMERGED LANDS

After more than 100 years of undisputed possession and ownership, both inland and coastal, of all lands beneath navigable waters within our boundaries, executive agencies of the Federal Government have made attempts to take such lands and the Supreme Court of the United States has rendered an opinion against California. The Supreme Court, however, refused to find ownership of such lands in the Federal Government and limited its decision strictly to the declaration of paramount federal powers over the submerged lands for national defense, commerce, and international affairs.

The Supreme Court specifically refused to include "proprietorship" or "ownership" in its decree in favor of the government, thereby leaving the entire question of ownership of such lands for future litigation or action by the Congress. The whole question of ownership and division of state and federal powers as to the disputed lands is a legislative matter, the Supreme Court held, using the following words:

> "We have said the constitutional power of Congress in this respect is without limitation * * *. Thus neither the courts nor the executive agencies could proceed contrary to an act of Congress in this *congressional area* of national powers."

The members of this committee call attention to the fact that a majority of both houses of Congress have indicated their support of state ownership legislation each time that the subject has been voted upon and the Committees on the Judiciary of the United States Senate and House of Representatives, in reporting favorably on S. 1988 in the Eightieth Congress, recognized the historic rights and traditional equities of the several states by incorporating the following language in their joint report:

> "* * * We consider it against the public interest for the Federal Government to commence a series of vexatious lawsuits against the sovereign states to recover submerged lands within the boundaries of the states, traditionally looked upon as the property of the

states under a century of pronouncements by the Supreme Court reflecting its belief that the states owned these lands." (p. 10)

"* * * The committee is of the opinion that not only will the public interest be best served by confirming the rights of the states but that common justice and equity require such action." (p. 16)

Legislative action in favor of California's position has been supported continuously for several years by the National Association of Attorneys General, the Governors' Conference, the Council of State Governments, National Association of Port Authorities, National Water Conservation Association, American Title Association, United States Conference of Mayors, and many other national organizations.

The committee recommends that the California Legislature continue to urge the adoption by the Congress of an act recognizing that ownership of lands beneath navigable waters within the State shall continue to be vested in the State, subject only to the paramount rights of the Federal Government in a national emergency, in commerce, and in national defense, the exercise of which shall never of itself vest any proprietary interest in such lands in the Federal Government; but recognizing the rights of the Federal Government to take any such property necessary for national defense by priority purchase or due process of law.

We recommend that the Legislature vigorously oppose any agreements between private interests and federal agencies under which equity and relief would be given private interests without giving the same full and complete equity to the State and its political subdivisions, and oppose any proposed legislation which will permit the Department of Interior or any other federal agency to lease, to private interests, lands beneath navigable waters within the original boundaries of the State.

In order that the Legislature may have a picture of the problem confronting the State clearly in mind, it would be well to give a brief history of what has transpired to this time. The problem has two facets:

(a) The litigation facet. (b) the legislative facet.

California's ownership of the submerged lands within its boundaries, which extend three miles seaward from its coast line was recognized by the entire Federal Government for nearly a century. During this time the Federal Government purchased from the State or its grantees many parcels of these lands for its use. Others it condemned, paying just compensation therefor in accordance with the requirements of the Fifth Amendment to the United States Constitution In numerous instances the State or its grantees have, in a spirit of helpful cooperation, by gift deed conveyed parcels of these lands to the Federal Government, but the Government has always required a formal conveyance to it before any of its funds were expended upon any such lands.

Some time after the turn of the century, interest developed in the exploration for oil and other hydrocarbon substances in offshore, submerged lands along certain portions of our coast Eventually offshore wells were drilled under leases from the State and oil and gas were discovered and produced. Later it became known that these resources or products were drained from reservoirs of oil and gas lying beneath the offshore submerged lands belonging to the State by wells drilled and produced by the owners of onshore or upland areas under which lay the same pools or reservoirs as those underlying the state-owned submerged

lands. Provisions of law were enacted by the California Legislature permitting the State to lease its submerged lands for the drilling of wells and the production of oil and gas therefrom in those cases where these lands were being drained or there was a threat of drainage from onshore vertical wells. Leases were made, under loyalty provisions satisfactory to the State, wells were drilled and oil and gas in substantial quantities were produced therefrom, resulting in a noteworthy development of our natural resources.

California and its lessees pioneered in the field of exploration, discovery, and production of oil in submerged coastal lands. The process of slant-drilling, or whipstocking, which was largely responsible for successful operations, was in fact invented in our State, and it was here that it passed through the difficult stages of experimentation to a perfected technique in the drilling of oil wells. It was this, in a large measure, which made possible the great contribution made to this Nation of the recovery of vast reservoirs of these important resources underlying submerged coastal lands.

However, possibly it was inevitable that when the time came that California's pioneering efforts in this field bore fruit, there were those who began to look with jealous eyes upon the success which had resulted, and to seek methods of "muscling in" or "taking over"—to employ language of the street. Inasmuch as lessees of the State were lawfully in possession under state law and satisfactorily performing the obligations of their leases, rather than attempt the old-fashioned role of claim jumper to oust the State's lessees they apparently decided to try and by-pass the State of California, and so they filed application for leases with the Department of the Interior of the Federal Government upon the same lands which had already been leased by the State and from which oil was being produced and the State was receiving substantial revenues. These applications, however, did not meet with the desired action at the hands of the Department of the Interior. The Federal Government recognized ownership in the State of California. In answer to a letter addressed to him by one of these covetous applicants for a lease on an area of submerged lands in California, the then Secretary of the Interior, Harold L. Ickes, made the following reply to the applicant.

> "Title to the soil under the ocean within the three-mile limit is in the State of California and the land may not be appropriated except by authority of the State."

A number of years later, however, Secretary Ickes made an about face, and at his instance the Federal Government commenced an action in the United States Supreme Court, as a court of original jurisdiction, in which it sought to establish federal ownership of all submerged lands within the boundaries of this State. On June 23, 1947, the United States Supreme Court announced that California was not the owner of these lands, it declined to hold that the United States was the owner, and set up a new doctrine of so-called "paramount rights." In this manner, the Federal Government virtually took over, by what some have termed a process of "legalized seizure," the coastal submerged lands of California which exceed 3,000 square miles in area, all of which lie within its constitutional boundaries.

Almost immediately following the announcement of the Supreme Court's decision, and several months prior to the order and decree, conferences were held in Washington, D. C., by representatives of both parties to discuss what course should be taken in respect to the operation of the existing leases in California submerged lands and other matters. It was agreed that operations under the existing leases should continue for the period of one year and that new leases could be made by the State Lands Commission with the approval of the Secretary of the Interior, all revenues to the State to be impounded in a special fund pending final disposition by the Supreme Court or Congressional action. This stipulation was renewed for an additional year on July 28, 1948, and again on August 2, 1949, without change. On August 21st of this year a revised and extended stipulation was entered into and made effective to October 1, 1951. This gave the Secretary of the Interior added authority, particularly to require the State to call for bids for new leases and to require the drilling of new wells when requested by the Secretary. The State is also required under the revised stipulation to pay the rentals and royalties received from its leases after October 1, 1950, to the United States quarterly, the United States agreeing to segregate and hold the moneys so paid in a special fund The State shall continue to hold in a special fund all rentals and royalties received between June 23, 1947, and September 30, 1950, inclusive. The State Lands Commission may expend not to exceed $12,000 per month from the latter fund to defray its expenses in administering the law respecting operations under such leases and the Secretary of the Interior may use not to exceed $50,000 per annum of the funds paid by the State after September 30, 1950, to reimburse the Geological Survey and other agencies of the Department of the Interior for their expenses after that date.

In January of 1948, the Federal Government filed a motion in the Supreme Court to establish the lines of demarcation of three segments along the California Coast They carefully selected three areas where oil was being produced and urged that these lines (and only these) be drawn at once in the way they had drawn them upon a sketch which accompanied their motion. They drew the line for their first segment from Point Conception to Point Hueneme by hugging the ordinary low water mark for the entire distance. This segment was to take care of the Elwood and other fields in Santa Barbara County and those in Ventura County. They drew their lines for the second segment on the line described in the stipulation describing San Pedro Bay, limiting it to a line from Point Fermin to a point just outside the Rainbow Pier in Long Beach (this line being over a mile inside the breakwater). From the latter point they drew their line right up to the ordinary low water mark down as far as the entrance to Newport Bay. It is important to bear in mind also that they want these lines fixed and established at the low water mark *as it existed on September 9, 1850,* regardless of any accretions, whether natural or artificial, since that date.

In the City of Long Beach there are almost five miles of beautiful beach lying southeasterly from her Rainbow Pier which are placed entirely in jeopardy. This beach, of course, is now further seaward than it was in 1850. In the Santa Monica Bay area there are over seven miles of beach which, during the past few years, has been widened several

hundred feet by the placement there of excess sand from the excavation at the side of the new Hyperion Sewage Treatment Plant of the City of Los Angeles Such examples could be multiplied.

There is now impounded in our State Treasury the sum of 27 million dollars, the release of which depends upon either favorable action, as to a portion of it, by the United States Supreme Court, or the restoration of ownership to all of it by the Congress. Out of this sum presently impounded some 19 million dollars would, under out state law, be immediately made available for the development of our state parks and beaches, and that, in addition, other substantial sums would go to other needful uses, including a substantial sum which would be released to the educational fund of veterans' dependents.

It is the belief of this committee that in positive and permanent action by the Congress lies the only real and satisfactory solution to this problem. The committee recommends that the Legislature urge the Congress of the United States to adopt legislation which will establish and confirm in every one of the states within the Nation the fee title to all lands lying beneath navigable waters within their respective boundaries including the resources thereof—whether the state be coastal, entirely inland or bordering upon the Great Lakes, and whether the waters be those of the sea, or of stream, river, or lake.

It is not too much to say that with united effort, both vigorous and untiring, such righteous legislation can be made law. As early as the Seventy-ninth Session of Congress in 1947, legislation was urged, and has since been constantly urged before the Congress, in the effort to restore these lands to California, as well as to definitely establish the title of every state in the Nation to all lands beneath navigable waters within its boundaries. In 1947, such a bill was passed by the House of Congress, only to be vetoed by President Truman too late in the session for it to be brought up before the Congress in an effort to pass it over his veto. In 1948, a similar bill was passed by the House of Representatives by a vote of almost 10 to 1, 257 to 29 to be exact. In 1949, the states again pursued their efforts in Congress to have this question settled once and for all by restoring to and confirming in the states the ownership of and title to these lands. These bills were referred to the Judiciary Committee of the House and the Committee on Interior and Insular Affairs of the Senate Inasmuch as the hearings were not concluded until just prior to adjournment no vote was taken in either house on their passage.

We must now look to the Eighty-third Congress. The last bill of the states introduced in the Senate bore the sponsoring names of *20* Senators from states spanning the entire Nation. More could have been obtained. In the House there was *not one* such bill introduced for the states, but *over 20*. This can be done again. There is little doubt of such a bill's passing the House by a very impressive vote. In the Senate favorable action can be anticipated.

The State of California has firmly committed itself to the policy of bringing about the restoration and confirmation of its rights in and title to all submerged lands beneath navigable waters within its boundaries, including the resources thereof. Our Governor has appeared before Congressional committees on numerous occasions in support of this policy and effort. His activities in this cause date back more than a decade, to

the time when he was Attorney General of this State. The State Lands Commission, the membership of which consists of the Lieutenant Governor, the State Controller and the Director of Finance, has uninterruptedly exerted its effort in this fight. Every Attorney General California has had since the turn of the century has fought for the rights of this State to the ownership of its submerged lands to the limits of its boundaries The California Legislature has three times in as many years adopted joint resolutions declaring that, "it is in the public interest and in the futherance of justice that title and ownership of the lands beneath navigable waters within the boundaries of the states be restored to and confirmed in these states by the Congress of the United States" and called upon the Congress to recognize, confirm, and establish title to such lands in the states. The most recent resolution is set forth as Chapter 17 of the Statutes of 1950. Furthermore, the Legislature of this State in Chapter 65, Statutes of 1949, in giving greater precision to the boundary of the State of California as defined in Article XXI of the Constitution, declared in Sections 170, 171, and 172 of the Government Code that our boundary "runs and has in the past run three English nautical miles oceanward of lines drawn along the outer sides of the outermost of the islands, reefs and rocks along and adjacent to the mainland and across intervening waters."

California's positive and vigorous stand and untiring efforts is not without support from other sources. Compelling evidence that the states are not to be regarded as urging claims which are either unfair or unjustified is found in the impressive expressions of outstanding official bodies nation-wide in scope Such official bodies, which enjoy the highest standing throughout the Nation, include: (1) The Conference of Governors, composed of the Governors of the 48 states; (2) the National Association of State Land Officials; (3) the American Association of Port Authorities; (4) the National Institute of Municipal Law Officers; (5) the Council of State Governments; (6) the Conference of Mayors; (7) the National Association of Attorneys General; (8) the National Association of Secretaries of State; (9) the National Reclamation Association; (10) the National Water Conservation Conference; (11) the American Bar Association; and (12) the American Title Association.

Every one of these official bodies has gone on record, not once but on numerous occasions, firmly insisting that the Congress restore to and recognize and confirm in the states title to all lands beneath the navigable waters within their boundaries, as well as all natural resources contained therein.

The official stand taken by these national bodies must be recognized as reflecting the study and deliberation of some of the best thought in the Nation, and as being founded upon the basic principles of plain justice as well as upon fundamental rights vouchsafed to the states and the people thereof by the Federal Constitution itself.

4. PERCENTAGE DEPLETION

National Security and the General Welfare

It is necessary that California continue the search for new oil fields for the replenishment of current production and to build up an adequate reserve capacity for national emergencies. In order that capital will be risked in the search for oil, an adequate incentive must be provided. In

the absence of such incentive, exploration will cease and new oil fields will not be found. This is doubly important here in California where 90 percent of all energy consumed is provided by petroleum products. On a national scale the oil industry accounts for 3 percent of the national income but produces approximately 7 percent of all federal, state and local taxes, which amounts to $1.67 tax on every barrel of crude oil produced, this indicates the oil industry is paying far more than its just share. Taxes cannot be added to an already over-burdened industry without impairment of its efficiency and an increase in the cost of products to the vast consuming public here in the west.

A subject of special concern to the oil industry is a provision in the Internal Revenue Code which grants to the producers of oil and natural gas a deduction in computing their federal income tax liability which is commonly referred to as percentage depletion.

Under the law as it has existed since 1926, producers of oil and natural gas have been allowed to reduce their taxable income derived from the production of these raw materials to the extent of 27½ percent before applying the normal corporate income tax rates to such income.

While certain groups contend that the oil industry has an unfair tax advantage through this tax provision and various attempts have been made to get Congress to reduce or eliminate percentage depletion, this allowance has a just place in our tax structure and is of tremendous importance to the Nation's economy and military defense.

What Is Percentage Depletion?

The Sixteenth Amendment gave Congress the power to tax incomes, but the return of capital is tax free. The profit realized on the sale of a capital asset may be taxed, but that part of the selling price which represents the investment in the asset is a return of capital and may not be taxed. This allowance is the case of a physical asset such as a refinery is called "depreciation," while in the case of a natural resource as an oil or gas well is known as "depletion."

It was during the first World War that Congress recognized the need for creating an incentive for discovering new oil and gas reserves by permitting the discoverer of such to base a depletion deduction on the actual fair market value of the property within 30 days of discovery. Discovery depletion was limited to 50 percent of the net income from the property in 1924. The methods then used proved to be so complicated that in 1926 Congress sought a workable substitute. Upon statistics developed by the Treasury Department, the Senate recommended that 30 percent of gross income be allowed, but a compromise between this figure and 25 percent proposed by the House of Representatives resulted in the present depletion rate of 27½ percent. This allows at least 72½ cents out of each dollar of crude oil sales representing gross income, after deducting all operating expenses, overhead costs and depreciation of equipment, to be subject to federal income tax. This simple method of determining depletion has provided a fair and just return of capital value to the oil producer.

Incentives Required in a Hazardous Industry

Of all the basic industries in our Nation the oil and gas producing industry is the most hazardous. Hundreds of millions of dollars are spent annually to locate possible oil and gas producing areas, and in spite of

this tremendous effort and expense, four out of every five exploratory wells are dry holes. Of all wells drilled in both proven and unproven territory, only 40 percent are profitable. In order to attract risk capital, these profitable wells must pay for the cost of the dry holes. This huge expenditure for exploration may not be deducted as an expense, but it is a capital investment recoverable through depletion if oil is discovered, or as a loss if no production is obtained. The cost of a dry hole may be taken as a deduction in determining income tax liability, but this is no advantage unless there is income with which to offset the deduction. And even if there is income, what profit is there in spending a dollar on a dry hole to save 50 cents in taxes? As presently constituted, the 27½ cents out of every dollar received from the sale of oil produced, but limited to 50 cents out of each dollar of net profit after deducting all producing expenses and depreciation of equipment, must repay the producer not only for the cost of the particular well from which the oil is obtained but also for the cost of his exploration work and dry holes.

Taxation of Capital Gains

Our Income Tax Laws have always differentiated between capital gains and ordinary income and profits. The profits on oil or gas property is a capital gain For example, the cost of discovering an oil field may be $350,000, while the value of the property is $1,000,00. If this property is held over six months and sold, the capital gains tax of 25 percent applies, and even if it is sold before six months have passed, a special provision of the law provides the surtax on the gain would be limited to 30 percent. Thus it is seen that a tax advantage accrues if the property is sold. There is no logical reason why the owner should suffer a tax disadvantage by retaining and operating the property. Depletion allows him to deduct 27½ percent of the gross income and pay regular tax rates on the balance.

Exploration for oil has been intensified and production kept up to demands only because of the present depletion rate of 27½ percent allowed by Congress It is the recommendation of this committee that California's United States Senators and Congressmen urge its continuation.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Elections and Reapportionment, in Room 426.

At 8 p m.—

Education (subject: Assembly Bill No. 21), in Room 432.

Tomorrow, Thursday, January 11th, at 10 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Marjorie Benedict of Berkeley and Mrs. Jean Fuller of Los Angeles.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to T. Fred Bagshaw and George Whitely of San Rafael.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to C. Lewis Edwards of Pasadena.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Patrick J. McMurray of San Francisco.

On request of Messrs. Dickey, Caldecott, Dunn, Sherwin, Rumford, and Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Abbott, teacher of the Oakland High School, and the following pupils: Velma Phillips, Suzanne Poulton, Chuck Pusey, Shirley Rounds, Don Renner, Sandra Robinson, Jane Royce, Jenny Rucker, Don Scott, Sandra Shecht, Jane Stanley, Betty Stinson, Bill Stomberg, Andrew Tillman, Beverly Wagler, Rhea Wilcox, Phyllis Williams, Carolyn Wilson, Skipper Gervais, Kay Gracey, Carol Horwitz, Janice Johnson, Helen Joseph, Nancy Kaplan, Herb Kennedy, Peggy Lang, Joy Lotz, Marvin May, Don Anderson, Marilyn Ballard, Richard Berger, Doug Boyd, Betty Brown, Gayle Carson, Dorran Childer, Doris Dysart, Herb Ellenburg, and Anne Everett.

On request of Mr. Brady and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Victoria J. Anderson, director, and the following members of the Rochambeau Center of San Francisco: Mrs. Wyatt, Mrs. Kritch, Miss Carpenter, Mrs Jescina, Mrs. Adams, Mrs. Miller, Mrs. Benjamin, Vickie Anderson, Leta Jordan, Mrs. Gilbert, Mrs Bertrand, Mrs. Blomgren, Mrs. Rankin, Mrs Christie, Mrs. Campbell, Mrs. Richars, Mrs. Lincoln, Mrs Bernhardt, Mrs. Yancy, Mrs. Wise, Mrs. Fansler, Mrs. Gluson, Mrs. Carrie Barker, Miss Martha Law, Mrs. Myrtle Weatherby, Mrs. Levin, Mrs. Dierson, Mrs. Libby Sabey, and Mrs. Asplund.

On request of Mrs. Niehouse, and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lillian A. Johnson of San Diego.

ADJOURNMENT

At 1.12 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 11, 1951, out of respect to the memory of the late Jess Hession of Sacramento.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 11, 1951

The Assembly met at 11 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagan, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—80

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal God, who has neither dawn nor evening, yet sendest us alternate mercies of night and day, there is no light but Thine

May we walk while it is yet day, in the steps of Him who, with fewest hours, finished Thy divinest work

"Lord God of hosts, whose mighty hand
Dominion holds on sea and land,
In peace and war Thy will we see
Shaping the larger liberty;
Nations may rise and nations fall,
Thy changeless purpose rules them all."

We seek Thy help, in Jesus name —AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

COMMUNICATIONS

By Speaker Sam L. Collins:

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

January 10, 1951

Action of the Assembly Committee on Public Education

It was moved by Mr. Porter, seconded by Mr. Collier, the committee adopt the following rule:

In the event there are not sufficient votes cast to take positive action on the disposition of a bill presented to the committee on the request of a member of the committee the roll call will be held open until the committee adjourns its meeting

Motion carried unanimously.
Twenty members present.

DUNN, Chairman

RE-REFERENCE OF ASSEMBLY BILLS

By order of Speaker Sam L. Collins, Assembly Bills Nos. 32, 99, and 305, which were previously referred to the Committee on Crime and Correction, were ordered deemed referred to the Committee on Boards and Commissions.

APPOINTMENT OF MEMBER TO COMMITTEE ON JUDICIARY ORDERED NOTED IN CORRECTED JOURNAL

Speaker Sam L Collins asked for, and was granted, unanimous consent that the Assembly Journal for Wednesday, January 10th, page 209, be corrected to show that Mr. Shaw was appointed a member of the Committee on Judiciary.

Speaker Pro Tempore Presiding

At 11 06 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 21

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

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 6
Assembly Joint Resolution No. 1

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 419: By Mr. Silliman—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 420: By Mr. Silliman—An act to amend Section 3454 of the Political Code and to add Section 50933 to the Water Code, relating to reclamation districts.

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

Assembly Bill No. 421: By Mr. Erwin—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment.

Referred to Committee on Education.

Assembly Bill No. 422: By Messrs. Maloney, Brady, Connolly, Gaffney, Berry, George D. Collins, McCarthy, and Meyers—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts

Referred to Committee on Judiciary.

Assembly Bill No. 423: By Messrs. Maloney, Brady, Connolly, Meyers, Berry, George D. Collins, Gaffney, and McCarthy—An act to add Section 6c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 424: By Messrs. Maloney, Brady, Gaffney, Meyers, and Berry—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 425: By Mr Sherwin—An act to add Section 225q to the Civil Code, relating to the adoption of children.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 426: By Mr. Sherwin—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to boarding homes, to make costs for boarding home inspection payable on a fiscal year basis.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 427: By Messrs Burkhalter, Cooke, and McMillan—An act to add Section 24531 to the Education Code, relating to fire protection in schools.

Referred to Committee on Education.

Assembly Bill No. 428: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 429: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 430: By Mr. Evans—An act to amend Chapter 3, Division 3, Section 6797 of the Business and Professions Code.

Referred to Committee on Judiciary.

Assembly Bill No. 431: By Mr. Evans—An act to amend Division 9, Chapter 3, Article 3, Section 18199 of the Education Code.

Referred to Committee on Judiciary.

Assembly Bill No. 432: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 433: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 434: By Mr. Sherwin—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 435: By Mr. Sherwin—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 436: By Mr. Sherwin—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 437: By Mr. Sherwin—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318 6 to, and to add Article 2.5, consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732 and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1 5, consisting of Sections 18121, 18122, 18122.1, 18122 2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132 6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 438: By Mr. Sherwin—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736 2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o.1, 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 439: By Mr. Sherwin—An act to amend Section 23038 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 440: By Mr. Sherwin—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d 1, 24201d.2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 441: By Mr. Sherwin—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 442: By Mr. Sherwin—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 443: By Mr. Crowley—An act to amend Section 3047.2 of the Welfare and Institutions Code, relating to aid to the needy blind, with respect to personal property qualifications.

Referred to Committee on Social Welfare.

Assembly Bill No. 444: By Mr. Crowley—An act to amend Sections 3025, 3084, and 3087.1 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 445: By Mr. Crowley—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 446: By Mr. Crowley—An act to amend Section 2 of an act entitled "An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to the construction, installation, and operation of vending stands and vending machines in public buildings.

Referred to Committee on Social Welfare.

Assembly Bill No. 447: By Mr. Crowley—An act to amend Section 7 of an act entitled "An act relating to the construction, installation, equipping, stocking, and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to vending stands in public educational institutions.

Referred to Committee on Social Welfare.

Assembly Bill No. 448: By Mr. Crowley—An act to add Article 3.5, comprising Sections 190 to 194, to Chapter 1 of Division 1 of the Education Code, relating to vocational rehabilitation to establish a Section of Services for the Blind in the Bureau of Vocational Rehabilitation, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 449: By Mr. Crowley—An act to amend Sections 3079 5, 3025, and 3087.1 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 450: By Mr. Crowley—An act to amend Sections 3079.5, 3025, 3087.1, 3420, and 3480 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 451: By Mr. Crowley—An act to amend Sections 3079.5, 3420, and 3480 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 452: By Mr. Crowley—An act to amend Sections 3420, 3472, and 3480 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Assembly Bill No. 453: By Mr. Crowley—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children.

Referred to Committee on Social Welfare.

Assembly Bill No. 454: By Mr. Condon—An act to amend Section 737g of the Political Code and Section 79 7 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 455: By Mr. Condon—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 456: By Mr. Erwin—An act to amend Sections 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 457: By Mr. Erwin—An act to amend Sections 221, 234, 235, 236, and 240 of, and to repeal Sections 234.5, 243, 246, and 247 of, the Agricultural Code, relating to bovine tuberculosis.

Referred to Committee on Public Health.

Assembly Bill No. 458: By Mr. Grunsky—An act to amend Section 737ii of the Political Code, and Section 79 35 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 459: By Mr. Grunsky—An act to amend Section 445 of the Education Code, relating to county school superintendents' salaries in counties of the forty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 460: By Mr. Grunsky—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 461: By Mr. Grunsky—An act to amend Section 737rr of the Political Code, and 79 44 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary

Assembly Bill No. 462: By Mr. Grunsky—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 463: By Mr. Grunsky—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 464: By Mr. Grunsky—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 465: By Mr. Grunsky—An act to amend Section 108 of the Civil Code, relating to divorce.

Referred to Committee on Judiciary

Assembly Bill No. 466: By Mr. Grunsky—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 467: By Mr. Grunsky—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools

Referred to Committee on Education.

Assembly Bill No. 468: By Mr. Grunsky—An act to add Section 58.1 to the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 469: By Messrs. Sherwin and Connolly—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachuestts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 470: By Messrs. Sherwin and Connolly—An act to add Section 17358 to the Revenue and Taxation Code, relating to

the taxation of persons, trusts and estates, and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 471: By Messrs. Fleury and Moss—An act to amend Section 21201 of the Government Code, relating to the California State Employees Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 472: By Messrs. Fleury and Moss—An act to amend Section 18104.5 of the Government Code.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 473: By Messrs. Fleury and Moss—An act to amend Section 6861 of the Harbors and Navigation Code, relating to grants of franchises and leases by river port districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 474: By Messrs. Fleury and Moss—An act to amend Section 6862 of the Harbors and Navigation Code, relating to contracts of river port districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 475: By Mr. Fleury—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 476: By Mr. Fleury—An act to amend Section 690.24 of the Code of Civil Procedure, relating to execution upon motor vehicles and house trailers.

Referred to Committee on Judiciary.

Assembly Bill No. 477: By Mr. Fleury—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 478: By Mr. Morris—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 479: By Mr. Beck—An act to repeal Section 170.5 of and to add Section 170 5 to the Code of Civil Procedure, relating to disqualification of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 480: By Messrs. Lipscomb and Smith—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 481: By Messrs. Lipscomb and Smith—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 482: By Messrs. Smith and Lipscomb—An act to amend Section 423 of the Probate Code, relating to the administration of estates of decedents.

Referred to Committee on Judiciary.

Assembly Bill No. 483: By Mr. Hawkins—An act making an appropriation for the purpose of increasing salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 484: By Mr. Hawkins—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 485: By Messrs. Cooke and Burkhalter—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 486: By Mr. Cooke—An act to add Section 2751 to the Labor Code, relating to minimum wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 487: By Mr. Caldecott—An act to repeal Section 8.5 of the Civil Defense Act of 1950, relating to civil defense.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 488: By Mr. Caldecott—An act to amend Section 439 of the Code of Civil Procedure, relating to pleadings in civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 489: By Mr. Tomlinson—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 490: By Mr. Coats—An act to amend Section 23151 of the Government Code, relating to the boundaries of Sutter County.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 491: By Messrs. Fleury, Moss, McCollister, Berry, Burkhalter, Caldecott, Chapel, Cooke, Davis, Dickey, Gaffney, Grant, Kelly, Lindsay, Meyers, and Porter—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 492: By Messrs. Connolly, Grunsky, Brown, Smith, Babbage, Dolwig, and Tomlinson—An act to add Chapter 4, comprising Sections 4400 to 4405, inclusive, to Part 8 of Division 1 of Title 1 of the Corporations Code, relating to corporations, and providing for the effectuation of plans of reorganization under any applicable statute of the United States.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 493: By Messrs. George D. Collins, Condon, Gaffney, Coats, and Elliott—An act relative to creating a Department of Commerce in the State Government, defining its powers, duties and functions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 494: By Mr. Coats—An act to add Section 5011 to the Elections Code, relating to offenses against candidates

Referred to Committee on Elections and Reapportionment.

Assembly Joint Resolution No. 3: By Messrs. Grant, Thomas, Porter, Klocksiem, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the tidelands and submerged lands adjacent to the coastal states.

Referred to Committee on Rules.

Assembly Joint Resolution No. 4: By Messrs. Grant, Thomas, Porter, Klocksiem, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—Relative to lands beneath the navigable waters adjacent to the coasts of coastal states.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 8: By Mr. Waters—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1½ to Article II thereof, relating to suffrage.

Referred to Committee on Constitutional Amendments

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND SECOND PRELIMINARY REPORT BE PRINTED IN JOURNAL

Mrs. Niehouse asked for, and was granted, unanimous consent that a letter of transmittal and a Second Preliminary Report of the Assembly Interim Committee on Social Welfare (H. R. No. 71, 1950, Second Extraordinary Session) on the Social Welfare Program be ordered printed in the Journal; and that the report be printed in 10 point type.

(Above mentioned letter and report will appear prior to the motion to adjourn.)

MESSAGES FROM THE GOVERNOR

The Budget Message of the Governor was received.

Motion That Reading of Budget Message Be Dispensed With

Mr. Waters moved that reading of the Budget Message be dispensed with.

Mr. Stewart seconded the motion.

Motion carried.

BUDGET MESSAGE BY GOVERNOR EARL WARREN
1951-1952 BUDGET

To the Senate and Assembly of the State Legislature of California:

In conformity with Section 34 of Article IV of the Constitution, I submit herewith the Budget for the State of California for the fiscal year ending June 30, 1952.

This budget, in view of the national emergency, has been held to bare essentials. It calls for no additional taxes. It proposes a reduction in total expenditures despite substantial increases in fixed charges. The total expenditures for the 1951-52 Fiscal Year are estimated at $1,016,883,002, which is $75,828,248 less than the revised estimates * for the current, 1950-51, year.

No New Taxes

I am glad to present to you another budget which is within our present means and which requires neither new revenue measures nor increases in tax rates.

Revenues have been estimated on a middle ground, conservative basis. Yields from the principal sources, taxes measured by sales and income, obviously vary with the volume of business activity, corporation and personal income, and wage rates and prices. Our estimates are on the assumption that there will be a continued expansion of the Nation's economy as the defense program proceeds, but that runaway inflation will be prevented.

Expenditures Curtailed Wherever Possible

As you know, a large part of our state budget is not subject to executive or even legislative control. Outlays for the Public School System and welfare programs are determined by continuing legislation. As school attendance and welfare case loads increase, expenditures increase automatically. Expenditures for highways are determined by the amount of special revenues for that purpose.

Much of the remainder of the budget inevitably increases as the State's population continues to grow. Wage and price advances add to our costs, too, as in all enterprises.

Despite these difficulties we have cut budget requests wherever possible and have especially curtailed the outlays which would take manpower and materials needed for national defense. Particularly is this true of capital outlays, as will be seen from an examination of that section of the budget.

Three Sections: State Operations, Capital Outlay, and Local Assistance

The budget again is presented in three sections, each largely independent of the others: State Operations, Capital Outlay, and Local Assistance.

State Operations

Few expansions of services are proposed under State Operations. Provision is made for heavier work loads where they were clearly demonstrated. A lump sum is

* See reconciliation page A-48 with the total as submitted in the 1950-51 Budget

recommended for augmenting the individual budgets for price increases which have occurred since July, 1950, with a moderate allowance for highly probable further advances Similarly, a lump sum is included for salary increases.

As you have observed from the annual report of the Personnel Board the salaries of state employees have lagged behind those paid by other employers. The last general increase in state pay was in October, 1948. You have wisely adopted in the civil service law the policy of paying state employees at rates equivalent to those of comparable employment in private industry and other public jurisdictions The Personnel Board has found from its studies that on a conservative basis a general increase of one step (approximately 5 percent) is required now to bring the pay in the state service up to the present level of other employment. Accordingly provision is made in a special item in this budget for the recommended one-step increase to be effective January 1, 1951. The Personnel Board report further points out the strong likelihood, if present trends continue, of the need for an additional one-step advance in the coming fiscal year, and allowance is made in this budget for such an adjustment should conditions requiring it materialize.

Principal Items

You will find detailed explanations of the expenditures proposed for each department and institution. Let me direct your attention especially to some of the more important items

Civil Defense. The new Office of Civil Defense will require $1,738,953 in 1951-52 to continue for a full year the civil defense program authorized during the September special session. This is for the planning, coordinating and training work to be performed at the state level in line with the national plan for civil defense There is also the need for a moderate augmentation of the amount, which was on a purely estimated basis, appropriated for the current fiscal year. Recent national legislation will provide financing in part of equipment and other outlays for civil defense operations in possible target areas. The amount which the State may be required to make available for any such extraordinary outlays cannot be determined until Congress makes appropriations and federal policies are clarified If extraordinary expenditures, capital or otherwise, are required, I will communicate both the needs and my views on financing them to you.

At the September special session you made the $75,000,000 so-called "Rainy Day Fund" available for emergency disaster relief until June 30, 1951. I recommend that you continue this emergency measure in force for an additional year.

Corrections: A moderate increase is required for the Department of Corrections to put into operation the much needed new inmate quarters at Soledad, Chino, and Terminal Island—permitting considerable relief from the badly overcrowded conditions at San Quentin.

Education: Provision is made for heavier enrollments, possible because of added facilities, at the state colleges and at the School for the Deaf. A small increase is allowed also for added work load in the State Superintendent's office. Allowance is made too for expansion in vocational rehabilitation work

University of California: The University of California will require an increase of approximately $1,400,000 in spite of a drop in enrollment, for two main reasons: (1) most of the veterans have completed their university work, with a consequent drop in revenues from the United States Veterans Administration; (2) new graduate schools principally in Los Angeles, which were authorized in recent years, are coming into operation, requiring substantial additional outlays for faculty and other costs

Highway Patrol: I am recommending a further step towards an adequate manning of our Highway Patrol A study of our traffic patrol requirements indicates that the uniformed personnel of 1,364 should be increased by more than 900 men. This budget recommends 100 additional patrolmen with the required complements of supervisory and clerical personnel. I would have recommended a larger number under normal conditions, but I believe this smaller increment represents the number of qualified men who can be recruited and trained during this coming year.

Mental Hygiene: In spite of shortages in facilities and personnel, good progress is being made in improving the care and treatment of the mentally ill. A further step in an orderly program of improvements in standards is proposed in this budget. Our aim is to restore the greatest possible number of patients to normal lives in the shortest possible time. This is not only a matter of reducing human suffering; it is good sound economy.

Military Affairs: Our State Militia is in a period of uncertainty. About half the California National Guard has been called to active federal service and we are in the process of recruiting the State Defense and Security Corps to serve the home front in its absence. The recruiting expenses for the corps will continue during the coming fiscal year. The remaining half of the National Guard is still under state jurisdiction It is more costly to maintain a militia which is half National Guard and half State Defense and Security Corps than if it were wholly one or the other Perhaps Washington will clarify the situation before you have completed your consideration of the budget. Some reduction should be possible if the remainder of the National Guard is called out and we need provide only for the Defense and Security Corps.

Capital Outlay

The postwar building program is nearing completion By the end of next year more than $400,000,000 in construction work will have been finished or under contract since 1946.

Even with this accomplishment we still have a heavy backlog of building requirements. The $400,000,000 program barely met the lag in construction which occurred during the depression and World War II It made little headway in meeting the new needs resulting from the tremendous increase in the State's population.

A careful survey shows that we should, were it not for the defense emergency, undertake urgently needed outlays next year amounting to over $85,000,000 The greater part of this must give way to the mobilization for defense I am recommending major construction outlays for 1951-52 of $24,318,000 which represents the imperative projects which cannot possibly be deferred I feel certain federal authorities will approve these projects even in this period, when defense requirements have priority over all but the most urgent essentials.

I wish to call your attention especially to two important items First are more facilities for the mentally defective We cannot longer continue adding to waiting lists and aggravating the tragedy of inadequate provision for the mentally defective children. Second is the provision for increased capacity in our Youth Authority schools Here again a delay means continuing an intolerable situation, with delinquent youths who need proper care and rehabilitation being either held in jails or allowed to get into further trouble You will find the other items in the recommendations also to be of very great urgency

The survey indicates needs amounting to more than $300,000,000 which should be met in the next five years. We must add to the capacities of our hospitals and correctional institutions. The present greatly increased grade school attendance will in a very few years mean similar increases in university and college enrollments These represent the largest requirements Needs for other facilities expand also as the State grows.

While all but emergency projects must be deferred until more settled times, the State's fiscal affairs will not be on a firm basis until a definite means of financing capital outlay needs is provided The State of California cannot ignore the requirements for keeping up its physical plant any more than can an industrial enterprise We must have an orderly means of financing replacements of worn out structures and construction of additions demanded by increased population I recommend the creation of a committee to make a careful study of this problem with the objective of a sound, long-term plan.

Local Assistance

Again the expenditures for local assistance comprise more than half the total budget and are made up almost entirely of fixed charges over which neither the Legislature nor the Executive has control. State support of the public schools, the largest item of local assistance, will require more than $220,000,000 under existing law for the budget year.

Provision is made in the budget for continuing child care centers through the current year and the 1951-52 Fiscal Year. I am sure the need to carry on this activity is now clearly apparent in view of our manpower shortages and the much greater need for employing women in defense work.

Substantial increases will be required for aid to the aged, to the blind, and to needy children, as you will see from the analysis. The crippled children program has also increased because of more complete state-wide participation at the county level.

Flood Damage

The State Engineer is making a survey of the damage to local public works caused by the recent heavy floods in Northern and Central California. Some funds are already available for state assistance in repairing the flood damage Fortunately in 1946 we set aside a special reserve for flood control work A part of this money, which is not immediately required for the longer term flood control projects, can be made available to assist the local units in repairing the damage. I recommend that $2,000,000 of this reserve be earmarked as an Emergency Fund for flood damage repair.

A Balanced Budget

As will be seen from Schedule I, after providing for the estimated expenditures for purposes now authorized, there will remain as of June 30, 1952, an unbudgeted surplus in the General Fund estimated at $20,736,277.

I am again recommending your favorable action on a program of aid to the needy totally and permanently disabled in conformity with a recent amendment to the Federal Social Security Act which makes federal grants available for this purpose. The great majority of states have already taken steps to participate in this program. Certainly no group of needy persons requires our help more than those with such complete and permanent handicaps This broadening of the Federal Social Security Law affords both an opportunity for a more adequate program of aid to this group of needy persons and a

means of assisting counties through federal and state sharing of the cost A carefully prepared bill with strict eligibility requirements will be presented for your consideration For the portion of the 1951-52 Fiscal Year during which it would be operative it is estimated the State's share of costs would be $6,122,000

There will be sufficient resources in the General Fund to finance the following recommendations which I have made in the message delivered to you Monday.

Place school apportionments on a current basis and increase support for transportation; assist counties to provide facilities for senile patients, for maintenance of clinics for alcoholics and for psychiatric hospitals: "smog" research; administrative expenses of Commissions on Economic and Political Equality, Organized Crime, Taxes, and Reorganization of Government, and a Planning Agency

Any substantial additional expenditures for new services or for increased subventions will require additional taxes. I know you are as conscious as I am of the present heavy tax burden and of the impending further increases in federal taxes. True, our basic general state tax rates have not been increased for many years. Actually state taxes take a smaller portion of our people's income today than they did 10 years ago * In 1940 the average Californian paid $5 29 in state taxes for each $100 of income. In 1950, state taxes took $5 11 from each $100 of income. Nevertheless we at the state level must consider the burden imposed at the federal and local levels The time has long since passed when any one unit of government could go its own way with no regard for what other units were doing in respect to the same body of taxpayers

A comprehensive re-examination of our state and local tax structures is imperative if we are to arrive at the soundest and most equitable means of meeting the needs of both the state and local governments Such a study, together with the work of a Commission on Reorganization of the State Government to provide the most effective reorganization and improvements of administrative operations, offers the best assurance of giving our people the greatest possible returns for their tax dollars

In this budget, revenues have been estimated on a realistic basis, anticipating moderate further inflation Drastic controls might shrink them below the estimates, and cause us to draw on the Revenue Deficiency Fund If controls fail, however, and much greater inflation occurs, revenues would exceed our estimates, but we should not authorize permanent new expanded expenditures on the hope of temporarily inflated revenues. To do so is to invite financial disaster when we revert to normal levels of income

It should be a matter of extreme urgency indeed, clearly vital to the state welfare, which would impel adding new state taxes at this time

Respectfully submitted,

EARL WARREN, Governor

Governor's Budget accompanying the above message ordered filed with the Secretary of State.

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

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

Assembly Bill No. 495: By Mr. Luckel and Mrs. Niehouse—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 496: By Mr. Luckel—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 497: By Mr. Luckel—An act to add Section 429.6 to the Fish and Game Code, relating to the issuance of sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 498: By Mr. Luckel—An act to amend Sections 1065 and 1071, and to repeal Section 1068, of the Fish and Game Code, relating to the packing and reduction of fish.

Referred to Committee on Fish and Game.

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* See table at page A-24.

Assembly Bill No. 499: By Mr. Luckel—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 500: By Mr. Sherwin—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 501: By Messrs. Moss and Fleury—An act to add Section 7.6 to the California Unemployment Insurance Act, relating to unemployment insurance, and making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 502: By Messrs. Moss, Lindsay, Davis, Lowrey, Clarke, and Cooke—An act to amend Section 531 of the Agricultural Code, relating to conveyances transporting milk or cream.

Referred to Committee on Agriculture.

Assembly Bill No. 503: By Mr. Moss—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

Referred to Committee on Judiciary.

Assembly Bill No. 504: By Messrs. Tomlinson, Cooke, and Hinckley—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the registration of root or top stock of fruit and nut trees.

Referred to Committee on Agriculture.

Assembly Bill No. 505: By Mr. Condon—An act to amend Section 5405 of the Labor Code, relating to compensation proceedings under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 506: By Mr. Condon—An act to amend Section 4656 of the Labor Code, relating to computation of compensation under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 507: By Mr. Condon—An act to add Section 5815 to the Labor Code, relating to the payment of workmen's compensation awards.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 508: By Mr. Condon—An act to amend Section 4460 of the Labor Code, relating to computation of compensation under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 509: By Mr. Condon—An act to amend Section 4453 and to repeal Section 4452 of the Labor Code, relating to computation of compensation under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 510: By Mr. Condon—An act to amend Section 4903 of the Labor Code, relating to compensation claims under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 511: By Mr. Condon—An act to amend Section 6506 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 512: By Mr. Condon—An act to amend Sections 4600, 4601, 4602, 4603, 4604, and 4605 of, and to add 4606 to, the Labor Code, relating to medical and hospital treatment under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 513: By Mr. Condon—An act to amend Section 4702 of the Labor Code, relating to death benefits under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 514: By Messrs. Condon and George D. Collins—An act to amend Section 4903 of, and to add Section 4903.1 to the Labor Code, relating to workmen's compensation awards.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 515: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Section 11738 of the Insurance Code, relating to participating workmen's compensation insurance policies and refunds thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 516: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 700.01, 700.05, 1582, 1594, 12360, and 12441 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 517: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to add Section 751.1 to, and to amend Section 763 of, the Insurance Code, relating to rebates.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 518: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 922.1, 922.2, and 1591, to renumber and amend Section 922.5 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922.7, and 922.8 to, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 519: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to add Sections 1373 1 and 1373 2 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 520: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 10492 and 10493 of the Insurance Code, relating to benefit and relief associations.

Referred to Committee on Finance and Insurance

Assembly Bill No. 521: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 1153 and 1153 5 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 522: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Section 1730 of, and to add Section 1734 to, the Insurance Code, relating to insurance and bail licensees

Referred to Committee on Judiciary.

Assembly Bill No. 523: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to add Section 1101.1 to, and to amend Section 1106 of, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 524: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 10270, 10270 4, 10271, 10292, 10381, 10382, 10390, and 10400 of the Insurance Code; to add Sections 10273, 10274, 10275, 10309, 10329, 10359, 10369.50, 10381.5, and 10383 to said code; and to add Articles 3a, comprising Sections 10320 to 10328, inclusive, 4a, comprising Sections 10350 to 10350.12, inclusive, and 5a, comprising Sections 10369 1 to 10369.12, inclusive, to Chapter 4, Part 2, Division 2 of said code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 525: By Mr. Connolly—An act to add Article 5, comprising Sections 16485 to 16490, inclusive, to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to interfund sales and transfers of bond investments

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 526: By Mr. Fleury—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

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

Assembly Bill No. 527: By Messrs. Fleury and Moss—An act to amend Section 20205, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 528: By Mr. McCarthy—An act to add Section 176 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 529: By Mr. McCarthy—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 530: By Mr. McCarthy—An act to amend Sections 14307, 14308, and 14309 of the Revenue and Taxation Code, relating to inheritance tax liens.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 531: By Mr. McCarthy—An act to amend Section 16062 of the Revenue and Taxation Code, relating to gift tax liens

Referred to Committee on Revenue and Taxation

Assembly Bill No. 532: By Mr. McCarthy—An act to amend Section 3950 of the Revenue and Taxation Code, relating to actions to determine adverse claims to or clouds upon tax-sold or tax-deeded property purchased from the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 533: By Mr. McCarthy—An act to amend Section 2189 of the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 534: By Messrs. Condon and McCollister—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 535: By Messrs. Condon and McCollister—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Referred to Committee on Transportation and Commerce.

RESOLUTIONS

The following resolutions were offered:

By Mr. Waters:

House Resolution No. 30

Relative to making funds available for the expenses of the Assembly Standing Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, That the sum of _____ dollars ($_____) from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Elections and Reapportionment for the expenses of the committee and its members and for any charges, expenses or claims it may incur in connection with Assembly election contest matters that have been or may be referred

to it by the Assembly, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

By Mr. Waters.

House Resolution No. 31

Relative to contests as to the qualifications, elections, and returns of Members of the Assembly

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

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Assembly is received by the Assembly, the Speaker shall refer it to the Committee on Elections and Reapportionment. If that committee determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigations of the facts as it deems necessary. In so doing, the committee shall be governed by the Rules and shall be vested with and exercise the powers contained in this resolution

2 Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Assembly, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant

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

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

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner.

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

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant.

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material.

8. In addition to witnesses that are called or subpenaed on behalf of the committee, the chairman shall issue subpenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence so proposed to be obtained is relevant and necessary to determine the contest

9 At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order

(a) By the party calling him
(b) By the opposite party on cross-examination.
(c) By the party calling him on redirect examination.
(d) By the opposite party on recross-examination.
(e) By the chairman of the committee.
(f) By any member of the committee
(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees.

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14 The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars ($5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Assembly. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18. Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Assembly at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Assembly entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

Resolution read, and ordered held at desk.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Waters promised to delay the consideration of House Resolution No. 31 and that all questions pertaining to House Resolution No. 31 are out of order as there is nothing before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

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

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

Assembly Bill No. 536: By Mr. Stewart—An act to repeal Section 12169 of the Government Code, relating to official seals of state officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 537: By Mr. Meyers—An act to amend Section 2928 of the Labor Code, relating to employment relations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 538: By Mr. Meyers—An act to add Section 5410.1 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 539: By Mr. Brown—An act to repeal Section 6362 of the Business and Professions Code, relating to the furnishing of state reports and statutes to law libraries by the Secretary of State.

Referred to Committee on Judiciary.

Assembly Bill No. 540: By Mr. Erwin—An act to amend Sections 493 and 494 of, and to add Section 449 to, the Agricultural Code, relating to qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Referred to Committee on Agriculture.

Assembly Bill No. 541: By Mr. Gaffney—An act to amend Section 6506 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 542: By Mr. Gaffney—An act to amend Section 3077 of the Labor Code, dealing with the Apprenticeship Labor Standards Act.

Referred to Committee on Industrial Relations.

Assembly Bill No. 543: By Mr. Gaffney—An act to add Section 6404.1 to the Labor Code, dealing with safety devices and safeguards.

Referred to Committee on Industrial Relations

Assembly Bill No. 544: By Mr. Gaffney—An act to add Section 6616 to the Labor Code, relating to requiring supervisors to be furnished with applicable orders of the Division of Industrial Safety.

Referred to Committee on Industrial Relations

Assembly Bill No. 545: By Mr. Gaffney—An act to amend Section 6604 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 546: By Messrs. Gaffney and Rumford—An act to add Section 1777 6 to the Labor Code, dealing with apprenticeship

Referred to Committee on Industrial Relations

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER Your Committee on Rules, to which were referred

Senate Concurrent Resolution No 1
Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No 5
Senate Concurrent Resolution No 6

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to the creation of a Special Joint Committee to Study the Anti-Cross Filing Initiative Measure.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to the creation of a Special Joint Committee to Study the Old Age Assistance Initiative Measure.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—77.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 7, 1950.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—77.

NOES—None.

Resolution ordered transmitted to the Senate.

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

Mr. Dickey asked for consent that the Chief Clerk be instructed to authorize the printing of 3,000 booklets listing the names of the Members of the California Legislature for the Nineteen Fifty-One Regular Session and of the State and Congressional Officers for 1951.

The roll was called, and the request granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—77.

NOES—None.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Mr. Waters:

House Resolution No. 31

Relative to contests as to the qualifications, elections, and returns of Members of the Assembly

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

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Assembly is received by the Assembly, the Speaker shall refer it to the Committee on Elections and Reapportionment. If that committee determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigation of the facts as it deems necessary. In so doing, the committee shall be governed by the rules and shall be vested with and exercise the powers contained in this resolution.

2. Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Assembly, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant.

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

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

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner

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

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material

8. In addition to witnesses that are called or subpenaed on behalf of the committee, the chairman shall issue subpenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence as proposed to be obtained is relevant and necessary to determine the contest.

9. At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order:

(a) By the party calling him.
(b) By the opposite party on cross-examination.
(c) By the party calling him on redirect examination.
(d) By the opposite party on recross-examination.
(e) By the chairman of the committee.
(f) By any member of the committee.
(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14. The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars ($5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Assembly. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18 Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Assembly at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Assembly entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

Resolution read, and ordered referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 3

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

QUESTION OF PERSONAL PRIVILEGE

Mr. Henderson arose to a question of personal privilege.

STATEMENT BY MR. HENDERSON

The Governor in his message to the Legislature called for unity. All real Americans wish unity With the present world crisis we need unity more than ever before

I came to the Legislature with a certificate of election to the Assembly from the Thirty-fourth District. I have been seated as a member and am participating in the

deliberations of this body. My efforts are being crippled by my recently defeated opponent and his supporters. They ask a recount.

I have faith in Les Brown, the Fresno County Clerk, and I have faith in the honesty and ability of the many persons who were on the election boards. I do not believe that preference for one candidate or one party would interfere in their duties as election board members.

Therefore, to exonerate the many good persons who counted the ballots in the general election in the Thirty-fourth Assembly District, I ask for the united cooperation of the many persons who supported me in my campaign and also of those who voted for my opponent. In order to implement the work of the Committee on Elections and Reapportionment I do hereby join with those opposing me in support of a recount

Let us proceed with a recount. Let's count all the votes in the district. Let it be honest and fair.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.54 a m., Mr. Geddes asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Finance and Insurance in the Cloak Room at 11.55 a m Subject: Assembly Bill No. 17

REQUEST FOR UNANIMOUS CONSENT THAT MESSRS. SID WEINSTOCK AND JOHN R. MALONEY BE INCLUDED IN MEETING

Mr. Geddes asked for, and was granted, unanimous consent that Messrs Sid Weinstock and John R Maloney be permitted to attend the special meeting of the Committee on Finance and Insurance.

Hon. Laughlin E. Waters Presiding

At 11 56 a m, Hon Laughlin E Waters, Member of the Assembly from the Fifty-eighth District, presiding

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

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

Assembly Bill No. 547: By Mr. Butters—An act to amend Section 421 of the Education Code, relating to counties of the twenty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 548: By Mr. Butters—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class

Referred to Committee on Municipal and County Government

Assembly Bill No. 549: By Mr Stewart—An act to amend Sections 35147, 35148, 35149, and 35150 of the Government Code, relating to annexation

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 550: By Mr Stewart—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities.

Referred to Committee on Municipal and County Government

Assembly Bill No. 551: By Messrs. Gaffney and Crowley—An act to amend Section 16091 of the Education Code, relating to readers for blind persons in universities, colleges, and state colleges.

Referred to Committee on Education

Assembly Bill No. 552: By Messrs. Gaffney and Crowley—An act to amend Section 3051 of the Welfare and Institutions Code, relating to operations to prevent blindness or to restore vision to applicants for or recipients of aid to the blind.

Referred to Committee on Public Health.

Assembly Bill No. 553: By Mr. Lindsay—An act to add Section 1233 to the Fish and Game Code, relating to taking coons at night.

Referred to Committee on Fish and Game.

Assembly Bill No. 554: By Mr. Lindsay—An act to amend Section 21002 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement.

Referred to Committee on Finance and Insurance

Assembly Concurrent Resolution No. 9: By Messrs. Butters, Brown, Cooke, Clarke, Erwin, Lowrey, and Stanley—Relative to the creation of the Joint Committee on Water Problems.

Referred to Committee on Rules.

Assembly Bill No. 555: By Mr. Crowley—An act to amend Sections 31905, 32022, 32036, 32050, 32055, and 32056, and to repeal Sections 32036, 32051, and 32062, of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 556: By Mr. Silliman—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine.

Referred to Committee on Agriculture.

Assembly Bill No. 557: By Mr. Silliman—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers.

Referred to Committee on Agriculture.

Assembly Bill No. 558: By Messrs Waters and Maloney—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 559: By Messrs. Waters and Maloney—An act to amend Sections 17003, 17010, 17019.7, 17058, 17059, 17102.2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318.4, 17318.7, 17320.5, 17322.5, 17322.9, 17322 11, 17324.2, 17324.3, 17327, 17330.1, 17330.3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504, 17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560.9, 17565, 17569, 17672, 17685, 17687, 17725, 17743 1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581, 18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053.3, 19056, 19057, 19058, 19059, 19060, 19061, 19061.1, 19062, 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19251, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 560: By Messrs. Waters and Maloney—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 561: By Messrs. Waters and Maloney—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 562: By Messrs. Waters and Maloney—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 563: By Messrs. Waters and Maloney—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, 23701j, and 23701*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d, and 23731e of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 564: By Messrs. Waters and Maloney—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 565: By Mr. Waters—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 566: By Messrs. Waters and Maloney—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 567: By Messrs. Waters and Maloney—An act to add Sections 18586.3 and 19053.8 to the Revenue and Taxation Code, relating to personal income tax, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 568: By Mr. Waters—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 569: By Messrs. Waters and Maloney—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 570: By Messrs. Waters and Maloney—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586 2 to, the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 571: By Messrs Waters and Maloney—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 572: By Messrs Waters and Maloney—An act to amend Section 23253 of the Revenue and Taxation Code, relating to

the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 573: By Messrs. Waters and Maloney—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k, 24121o, 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b, 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 25731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 574: By Messrs. Waters and Maloney—An act to add Sections 23222a, 24121k 1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 575: By Messrs. Waters and Maloney—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071l, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203c-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 576: By Messrs. Waters and Maloney—An act to add Section 23852b to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 577: By Messrs. Waters and Maloney—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a,

25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 2680.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 578: By Messrs. Waters and Maloney—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections 23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 579: By Messrs. Waters and Maloney—An act to amend Section 23305a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 580: By Messrs. Waters and Maloney—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 581: By Messrs. Brown, Rosenthal, Beck, Fleury, Babbage, Connolly, Crowley, McCarthy, McFall, and Smith—An act to add Chapter 1 5 to Part 1, Division 4, Title 2 of the Government Code; to add Section 16025 to said code; to amend Sections 16021, 16022, 16023, 16041, 16042, 16043, 16044, 16045, 16050, 16051 and 16053 of said code; and to repeal Section 16052 of said code; relating to the liability of the State for its negligence, and claims and actions against the State for the recovery of such liability.

Referred to Committee on Judiciary.

Assembly Bill No. 582: By Mr. Erwin—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947.

Referred to Committee on Agriculture.

Assembly Bill No. 583: By Mr. Erwin—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 584: By Messrs. Lyon, Rosenthal, Waters, Smith, Dills, Erwin, Hawkins, McGee, Munnell, Stewart, and Thomas—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 585: By Mr. Lowrey—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, 1300.18, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 586: By Mr. Lowrey—An act to amend Sections 274, 275, and 285.3 of the Agricultural Code, relating to apiary inspection and equipment brands.

Referred to Committee on Agriculture.

Assembly Bill No. 587: By Mr. Lowrey—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

Referred to Committee on Agriculture.

Assembly Concurrent Resolution No. 10: By Messrs. George D. Collins, Connolly, Brady, Gaffney, Berry, Maloney, McCarthy, and Meyers—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hahn, Burke, Morris, and Grant:

House Resolution No. 32

Relative to thanking the Sacramento Council of Churches for the Pre-Legislative Communion Service held for the benefit of the Legislature on January 8, 1951, at the Westminster Presbyterian Church

WHEREAS, On January 8, 1951, at 11 a.m., a Pre-Legislative Communion Service was held for the benefit of the Legislature by the Sacramento Council of Churches at the Westminster Presbyterian Church in Sacramento, California; and

WHEREAS, The Members of this Assembly attending this Communion Service were greatly benefited by this spiritual guidance offered and wish to show their appreciation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California do hereby extend their thanks to the Sacramento Council of Churches for said Pre-Legislative Communion Service; and, be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Sacramento Council of Churches.

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

Hon. Robert I. McCarthy Presiding

At 12.12 p.m., Hon. Robert I. McCarthy, Member of the Assembly from the Twenty-fifth District, presiding.

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

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

Assembly Bill No. 588: By Messrs. Brown and McFall—An act to be known as the Uniform Commercial Code, relating to certain commercial transactions in or regarding personal property, including fixtures, and contracts and other documents concerning them, including sales, commercial paper, foreign remittances, letters of credit, bank deposits and collections, other certain miscellaneous banking transactions, investment securities, bills of lading, warehouse receipts, other documents of title, and various types of financing security; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; and repealing inconsistent legislation

Referred to Committee on Judiciary.

Assembly Bill No. 589: By Mrs. Niehouse—An act to amend Section 9 3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Bill No. 590: By Mrs. Niehouse—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to hairdressers, cosmeticians, and cosmetologists.

Referred to Committee on Public Health

Assembly Bill No. 591: By Mrs. Niehouse—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Referred to Committee on Judiciary.

Assembly Bill No. 592: By Mr. Clarke—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Referred to Committee on Municipal and County Government

Assembly Bill No. 593: By Mr Clarke—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 17

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

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 17—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

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

Assembly Bill No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dolwig:

Resolved, That Assembly Bill No. 17 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None

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

CONSIDERATION OF ASSEMBLY BILL NO. 17

Assembly Bill No. 17—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 31

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

DICKEY, Chairman

Above reported resolution ordered on file.

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

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

Assembly Bill No. 594: By Mr. Clarke—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 595: By Mr. Clarke (By Request)—An act to amend Section 43068 of the Government Code, relating to taxes of cities of the sixth class.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 596: By Mr. Clarke (By Request)—An act to amend Section 1700 of the Streets and Highways Code, relating to county highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 597: By Mr. Clarke (By Request)—An act to amend Section 1680 of the Streets and Highways Code, relating to county aid to cities in the construction and maintenance of streets.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 598: By Mr. Clarke (By Request)—An act to amend Section 7049 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 599: By Mr. Clarke—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 600: By Mr. Clarke—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Referred to Committee on Agriculture.

Assembly Bill No. 601: By Mr. Clarke—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business.

Referred to Committee on Agriculture.

Assembly Bill No. 602: By Mr. Clarke—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 603: By Mr. Clarke—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

Assembly Bill No. 604: By Mr. Brown—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to sessions of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 605: By Mr. Brown—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Referred to Committee on Judiciary.

Assembly Bill No. 606: By Mr. Brown—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 607: By Mr. Brown—An act to repeal the Automobile Parking District Act of 1941 and to repeal an act entitled "An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts," approved July 12, 1941, relating to automobile and vehicle parking districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 608: By Mr Stewart—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 609: By Mr. Stewart—An act to provide for the reversion to the General Fund of any unexpended balance in the

Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund.

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

Assembly Bill No. 610: By Mr. Stewart—An act to provide for the disposition of the unexpended balance of moneys in the State Park Fund of 1927.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 611: By Mr. Stewart—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 612: By Mr. Stewart—An act to provide for the disposition of the unexpended balance of moneys in the California State Building Fund of 1925.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 613: By Mr. Stewart—An act to add Section 12463.2 to, and to repeal Section 12461.5 of, the Government Code, relating to the duties of the Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 614: By Mr. Stewart—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 615: By Mr. Stewart—An act to amend Section 17242 of the Government Code, relating to reimbursement warrants

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 616: By Mr. Stewart—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation.

Referred to Committee on Education.

Assembly Bill No. 617: By Mr. Stewart—An act to amend Sections 950 and 951 of the Probate Code, relating to preferred labor claims for wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 618: By Mr. Stewart—An act to amend Sections 1204 and 1206 of the Code of Civil Procedure, relating to claims and liens for labor.

Referred to Committee on Judiciary.

Assembly Bill No. 619: By Mr. Kilpatrick, Mrs. Niehouse, and Mr. Cooke—An act to amend Section 6359 of the Revenue and Taxation Code, relating to exemptions from the sales and use taxes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 620: By Messrs. Kilpatrick, Munnell, Burke, Mrs. Niehouse, Messrs. Burkhalter, Cooke, and Meyers—An act to add Section 162.5 to the Vehicle Code, relating to publicly owned vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 621: By Messrs. Kilpatrick, Hagen, Burke, Mrs. Niehouse, Messrs Cooke, Meyers, and Munnell—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

Referred to Committee on Judiciary.

Assembly Bill No. 622: By Messrs. Kilpatrick, Burke, Mrs. Niehouse, Messrs. Cooke, Meyers, and Munnell—An act to amend Sections 145 and 825 of the Penal Code, relating to the taking of persons arrested before a magistrate.

Referred to Committee on Judiciary.

Assembly Bill No. 623: By Messrs. Kilpatrick, Burke, Mrs. Niehouse, Messrs. Meyers, Cooke, and Munnell—An act to add Section 147.5 to the Penal Code, relating to mistreatment of persons in the custody or under the care of officers.

Referred to Committee on Judiciary.

Assembly Bill No. 624: By Messrs. Kilpatrick, Burke, Mrs. Niehouse, Messrs. Meyers, Cooke, and Munnell—An act to amend Section 7546 of the Business and Professions Code, relating to actions on the bonds of licensed private detectives.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 9: By Messrs. Levering, Beck, Porter, Munnell, Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 33

Relative to memorializing Congress regarding compensation for draftees or selectees for national defense

WHEREAS, A distinguished American general is reputed to have expressed the recommendation that draftees into military service or selective training service for the defense of the Nation receive little or no payment for these services in the Armed Forces or in a military preparedness program; and

WHEREAS, While the Assembly of the State of California holds this eminent general in the highest esteem as one of our great military leaders of World War II and an important figure in the present world crisis, it is in complete disagreement with this proposal of his because it feels it is unsound and unjust; and

WHEREAS, This proposal not to pay draftees, or to give them a smaller pay than they now receive, would have a detrimental affect on the morale of new young members of the Armed Forces and might lessen the efficiency of national defense as well as be unfair to the person brought into the service of his Country; and

WHEREAS, The draftee or selectee should, in the opinion of this body, receive compensation for his service in the Armed Forces in accordance with the present policy of making such compensation as fair and generous as the Nation's financial conditions permit; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby expresses its disapproval of this proposal and respectfully memorializes the Congress of the United States to continue the policy of providing compensation for persons in the Armed Forces, whether draftees or volunteers, which is as fair and generous as financial conditions of the Nation permit and to maintain the same pay rates for all draftees and selectees regardless of age; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the honorable Members of the United States Senate from California and to the honorable Members of the House of Representatives from the State of California.

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

RESIGNATION OF MEMBER FROM STANDING COMMITTEE

Speaker Sam L. Collins announced the resignation of Mr. Shaw from membership on the Committee on Education

APPOINTMENT TO COMMITTEE ON EDUCATION

Speaker Sam L. Collins announced the appointment of Mr. Moss to membership on the Committee on Education, vice Mr. Shaw, resigned.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Ways and Means.

Tomorrow, Friday, January 12th, at 9.30 a.m.—

Rules.

Next Monday, January 15th, at 8 p.m.—

Finance and Insurance. Subject: Assembly Bill No. 51, in Room 432.

Next Wednesday, January 17th, at 8 p.m.—

Municipal and County Government, in Room 426.

THE SOCIAL WELFARE PROGRAM

Second Preliminary Report of the

Assembly Interim Committee on Social Welfare
to the
California Legislature

KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

January, 1951

REPORT ON THE SOCIAL WELFARE PROGRAM

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LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE
January 11, 1951

The Honorable Speaker and Members of the Assembly
California Legislature
Sacramento 14, California

GENTLEMEN: Pursuant to the directive of House Resolution No. 71, Second Extraordinary Session, 1950, the committee has reviewed the major phases of the social welfare program.

In conduct of its work, the committee held public hearings and engaged in study and research through its staff. Since the committee was organized in May, 1950, there has been a limited period of time in which to study all phases of the program. The committee also conducted studies of the child care centers program which restricted the time it could give to the social welfare program. The committee was limited in its staff facilities by the appropriation, making it impossible to conduct detailed studies and particularly to examine and evaluate administrative methods.

Public hearings were held in San Diego, San Francisco, and Los Angeles. All organizations believed to be actively interested in the social welfare program were specifically invited to appear before the committee and general community notice of such public hearings was made through the press well in advance of each hearing.

In connection with these hearings, the committee wishes to note that the County Supervisors' Association of California, which organization has been especially active in legislative matters concerning the social welfare program, was specifically invited to present testimony at each of the public hearings but failed to do so. In response to the invitation to appear before the committee at the final hearing in Los Angeles to present its views concerning the aid to needy children program, the association notified the chairman that because of studies being conducted it was not prepared to appear. However, two days prior to this hearing, the association did make a full presentation concerning the aid to needy children program before a Senate interim committee.

The committee was particularly impressed by the lack of basic operating data from which detailed analysis of the actual operations of the programs could be made. To some extent, in relation to the aid to needy children program, some such data was secured through special studies by the Department of Social Welfare and used by the staff. However, there appears a lack of the kind of basic research into program operations and their administration necessary not only for legislative analysis but for continuing evaluation by the administrative agencies themselves.

This lack of sufficient basic operating data has been a distinct handicap in analyzing the operations of the various programs. It undoubtedly is as great a handicap to the administrative agencies in developing programs and policies and in interpreting trends and developments to the Legislature and the community at large.

Because of the limitations of time and facilities, the staff has made a general approach to the total social welfare program with more intensive

analysis of certain features. As will be illustrated in this report, a complete and searching analysis into all phases of operations of the programs and their administration should be made.

In view of the widespread interest in the aid to needy children program, special attention is given it in this report.

Insofar as has been possible, the staff report is specific. However, because of the complex nature of the total social welfare program, the absence of sufficient data for careful analysis, and the inability of the staff to examine administrative methods and practices within the counties as well as the state department, certain portions of the report are necessarily general. Where the staff has been unable to make specific analysis, it attempts to identify problems and makes suggestions for administrative consideration or for follow-up through continuing study and evaluation by the Legislature through its appropriate committees.

Should the Legislature re-establish this interim committee, the attached could be considered in form of a preliminary report and an outline of the program of the committee for the biennium.

The committee wishes to note that despite its very limited examination and analysis of operating procedures, in the course of its work it was instrumental in securing financial savings far in excess of the costs of the committee study. In one instance, corrective action was taken by the administrative agency which should save in one month approximately five times the total expenses of the committee for the whole period of its existence.

Respectfully submitted,

KATHRYN T. NIEHOUSE, *Chairman*
Assembly Interim Committee on Social Welfare

RECOMMENDATIONS
of the
ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE
Concerning
THE CALIFORNIA SOCIAL WELFARE PROGRAM

I. Aid to Needy Children

Basic corrective actions that should be taken are in the administrative area. Legislative changes should be confined to correction of defects revealed in the law through the limited experience since passage of the 1949 amendments, and designed primarily to facilitate better administration.

A. LEGISLATION

1. Support of Dependents

There should be enacted a law consistent with the Uniform Reciprocal Enforcement of Support Act drafted by the National Conference of Commissioners on Uniform State Laws and approved by the American Bar Association. Such laws are now in effect in several states to provide for the reciprocal enforcement of support through both criminal and civil law in those cases where the parent resides outside the State. Such a law will improve enforcement of parental duties to support and alleviate to some extent the problems involved through desertion of families by fathers.

More vigorous enforcement of support laws should be taken through the offices of the district attorneys relative to those parents in the State who default on their obligations for support. This might be accomplished by amendment of the law to provide that district attorneys shall report to the appropriate welfare department disposition or status of cases referred within 60 days of such referral.

2. Restrictive Payments

The A. N. C. law should expressly provide that assistance may be granted in forms other than cash to families determined to be unable to properly handle cash, in accordance with rules and regulations promulgated by the State Department of Social Welfare.

3. County Residence

Eliminate those provisions in the law that require determination of county residence for purposes of ascertaining the source of funds for payment of assistance in individual cases.

Amend Section 1527 of the code to provide that the county in which the recipient resides or is physically present shall provide medical care, eliminating the expensive procedures for intercounty negotiation covering medical care costs furnished through county medical and hospital facilities.

4. Real Property

Amend Section 1520 to provide that real property retained shall be property in use by the applicant or recipient, and to enable the State Department of Social Welfare to establish reasonable limitations on the total value of property which may be encumbered.

5. Personal Property

Amend Section 1521 to provide for the evaluation of personal property in addition to "cash and securities" so that such forms of personal

property as automobiles, jewelry, etc., may be evaluated. Provide that the State Department of Social Welfare shall define personal property and establish regulations for its evaluation for purposes of this section.

6. Time Limit for Processing Applications

Amend Section 1550 to reduce the maximum time for processing applications from 90 days to 60 days after date of application so as to minimize loss of federal funds and speed up the processing of applications.

B. ADMINISTRATIVE ACTIONS

1. Application Processing

Analysis should be made of the routine processing and checking of applications to determine its effectiveness throughout the State and to eliminate nonproductive functions that increase administrative costs and delay action. Greater uniformity should be secured in the use of basic procedures and forms and in the time factors involved in processing applications.

2. Employment

The state department should re-examine its policies concerning the employment of mothers and "emancipated children" to the end that a more positive policy to encourage employment and accounting for income of employed family members may be developed.

3. Support by Parents

The state department should re-examine its policies concerning actions to be taken where parents default on their responsibilities for support of families to provide more specific guidance and supervision to the county departments in dealing with these problems, including the evaluation of the administration of these policies so that better methods may be developed to secure support from parents short of actual legal prosecution.

State regulations concerning support by step-parents should be revised to provide more specific guidance to the county departments in securing such support regardless of the legal factors involved. Consideration should be given to the evaluation of the total resources of the family irrespective of the legal status of individual members as a basis for determining whether or not the family is in need and the extent of that need.

4. Standards of Assistance

The state department should establish uniform and specific standards for the determination of circumstances justifying allowances for special needs and should establish cost controls for such items. Through research the actual application of such policies should be tested and there be achieved greater uniformity of treatment of needy families throughout the State.

5. Staffing

As part of its responsibility for supervising administration of the A. N. C. program, the state department should regularly analyze and evaluate the adequacy of staffing and use of staff by the county departments to determine effectiveness of application of policies in determining need, reinvestigating cases, evaluating resources, and other factors that affect the costs of providing assistance and services to needy families.

II. Old Age Security

A. LEGISLATION

1. County Residence

Delete those provisions of Sections 2021, 2187-89 of the code which provide additional appropriations to the counties for purposes of aiding county nonresidents so that aid for all aged persons qualified for old age security is financed on a uniform basis and to eliminate the costly processes of determining county residence.

2. Persons Residing Out of the State

Aged recipients who have left the State to reside in another state should be removed from the old age security rolls when they have resided in the other state sufficient time to qualify for old age assistance under the laws of that state.

B. ADMINISTRATIVE ACTION

The present system permitting retention of income to meet excess needs creates inequalities between those with and without other income. To determine how to remedy this situation for consideration for long-term legislation, the State Department of Social Welfare should conduct detailed studies of the actual application of the present law. These should include a study to determine all unmet needs, the cost of providing excess need allowances, and the extent to which present flat-grant allowances may be in excess of actual need. Based on such studies the department should make recommendations to the Legislature so that it may determine whether persons without income should be granted additional aid to meet excess needs; or whether those with income should have such income deducted to secure equality of aid; or whether the present flat-grant method of assistance should be modified or revised so that assistance is based on individual need.

III. General

A. LEGISLATION

1. Duties of Boards of Supervisors

There should be enacted in the general provisions of the code legislation providing that the boards of supervisors may delegate powers and duties. This would enable the boards to delegate to county welfare directors approval of applications and thus reduce delay in acting on applications.

B. LEGISLATIVE STUDIES

1. Administration

There should be conducted a complete survey of all aspects of administration of the social welfare program. The interim committee assigned this responsibility should be provided with sufficient appropriation so that it may employ qualified and experienced technical and other staff necessary to conduct a detailed study and should have a two-year period for such study. Particular attention should be given the following:

a. Basic administrative responsibilities and authority. This involves the primary question of state administration or state supervision with county administration.

b. Methods of achieving greater uniformity in practice in administration of the program in all parts of the State.

c. Evaluation of efficiency and effectiveness at all levels of administration with specific recommendations for administrative action to

simplify the work process and eliminate unproductive procedures and functions;

d. Quantitative and qualitative evaluation of staffing and use of staff, including supervision and administrative planning and direction of the work program;

e. Methods of carrying on operating and program research and reporting.

It would be understood, of course, that in the conduct of such studies the administrative agencies would work closely with the committee staff and that corrective action within the authority of the administrative agencies be taken as rapidly as possible in the course of the studies.

2. Program Analysis

Analysis of the individual programs should be continued on a basis more detailed and specific than possible for this report. In this connection the administrative agencies should be expected to conduct the bulk of the basic research for use of the committee.

3. Reorganization and Simplification of Code

Study should be given to methods for simplifying and reorganizing the present Welfare Code. Insofar as practicable, basic code provisions relating to administration, determining need, appeals, etc., should be consolidated in a single section applicable to all programs. This study should include recommendations for amendment of laws applicable to individual programs to achieve as much uniformity and consistency as possible between programs.

4. Financing Assistance Programs

All factors in the present state-county financial arrangement should be studied to simplify financial processes; evaluating the pros and cons of total state financing or continuation of state-county financing; and arriving at a satisfactory and more uniform base for financing all programs if the state-county method is retained; and the best methods of appropriating funds for social welfare purposes.

The foregoing studies can best be accomplished by an interim committee assisted by a citizens advisory committee as a coordinated study.

C. ADMINISTRATIVE ACTION

Special emphasis should be given by the State Department of Social Welfare to administrative and program research. This should include administrative analysis into all phases of operations; evaluation through program research of the effectiveness of policies and their application; establishment of administrative and cost controls to strengthen and make more uniform the operation of the program in all areas of the State; research into family characteristics and economic and social problems as a basis for developing plans for legislative consideration to improve the public assistance laws; research into causes of dependency and determination of possible solutions; and methods of reporting and interpretation.

Approved: KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

December 11, 1950

REPORT TO ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE

on

SOCIAL WELFARE PROGRAM

By

NEWTON R. HOLCOMB, *Executive Secretary*

Sacramento, California, December 1, 1950

I. MEMORANDUM OF TRANSMITTAL

To: Chairman and Members
Assembly Interim Committee on Social Welfare

From: Newton R. Holcomb, Executive Secretary

Subject: REPORT ON SOCIAL WELFARE PROGRAM

Attached is my report covering analysis of the social welfare program.

There are a number of limitations involved in preparing a report such as this:

1. The length of time afforded for study and the facilities available have been extremely limited. Considerable time has been devoted to the child care center study, thus limiting attention that could be given to social welfare.

2. Administrative agencies have not developed sufficiently their research and reporting so that there is incomplete data available for analysis and evaluation.

3. To meet time limits, it has been necessary to use available data through September, 1950, only. There are indications of certain significant trends due to the stepped up military preparedness program that will not be revealed until data for later months is available. Also the September, 1950, data does not reflect the substantial influence of the Social Security Act amendments, effective October 1st. The state department has been unable to furnish data to evaluate the effects of the revised relatives contribution scale in the O. A. S. program by the time required for this report.

4. It has been impossible to make a detailed evaluation of the area of administration which is of extreme importance in testing policies in application as well as effectiveness in carrying out the basic standards for eligibility and amount of assistance established in the program.

5. Neither has it been possible to consider tax revenue and other obligations of government at the county and state levels in relation to the portion of public assistance costs that each might properly bear. The actual source of funds is of secondary importance in evaluating the effectiveness and adequacy of a public assistance program, but in working out solutions to administrative problems presented and relating the programs to the budgets of the state and county governments, such is important.

What stands out most prominently in the California public assistance program is that there are widely different standards established for identifying and meeting the requirements of various classes of needy persons and that the manner in which this is done is made difficult by a division of administrative responsibility that complicates an already complex administrative task, and adds to costs of the program as well as makes it exceedingly difficult to assess accountability.

These general conclusions are inherent in this limited report:

1. A better balanced assistance program can be achieved, with little or no additional cost:

(a) Costs in certain programs for specific groups of persons can be reduced while continuing to provide a decent and adequate standard of care, and

(b) Assistance can be provided all individuals within these specific programs on a more equitable basis.

This can be done through

(a) Adjustment of certain features of programs that permit of allowances not justified by objective standards of need;

(b) Administrative action to provide for more definite and accurate determination of need, and control of costs in relation to certain types of needs;

(c) Establishment of state-wide standards for application to needy persons now provided aid under 58 variable programs.

2. Certain aspects of existing programs giving rise to abuses attributable to a small portion of recipients can be improved through

(a) Minor amendments in law,

(b) Improvement in administration.

In doing so there should be avoided arbitrary restrictions having no relationship to actual existence of economic need and incompatible with the basic purposes of the public assistance programs.

3. Continuing and intensive study needs to be given to administrative problems and the improvement of the administrative process in all particulars, and especially with relation to:

(a) The influence of administration on actual costs of assistance such as related to accuracy of determination of need, prompt removal of ineligible persons from the rolls, and services to assist persons to utilize their own resources and become self-sufficient;

(b) Reduction in administrative costs and improving services to individuals through establishment of more uniform methods and procedures, simplification of procedure, work planning and supervision of staff, and elimination of unproductive functions;

(c) Greater administrative control to continuously evaluate the effectiveness of policies in their application; as a means toward policy formulation and modification; to evaluate basic legal and administrative factors, etc.;

(d) Administrative and program research to provide a more complete and correlated body of information for analysis so that there may be continuous progress in the administration of assistance and in the identification and treatment of causes of dependency.

Involved in this study of administrative problems is the fundamental question of delegation of authority and responsibility by the Legislature to the state department and the respective counties.

4. Study of the basic problems of dependency and determination of the most effective means of dealing with these problems, including:

(a) Development and modification of the assistance programs to best meet economic need;

(b) Evaluation of preventive and protective social services programs;

(c) Other means of combatting problems of dependency or preventing or minimizing its occurrence.

These studies should be undertaken to provide a sound basis for determining long-range public programming and planning to meet the steadily increasing problems that have been reflected in the growth of public assistance programs over the past two decades.

II. INTRODUCTION

Since the end of World War II there has been a substantial increase in costs of public assistance programs in California as well as throughout the Nation. There has developed growing concern over the costs of these programs as well as recognition of the need for improving them to meet economic need and provide necessary services to people.

Essentially these trends in the public assistance programs are a reflection of basic socio-economic problems. To a lesser extent, they reflect public policy in providing for needy persons and the determination made as to how adequate that care should be.

Increased costs are due to the greater number of persons relying upon public aid and the higher cost per case. Numbers of persons assisted is influenced by employment conditions, population changes, and a great many other factors in our total economy as well as by public acceptance of responsibility for providing for people as demonstrated in the laws. Costs per case reflect the need for providing more dollars to meet increased living costs as well as the determination made as to what standard of living should be provided for needy individuals.

The steadily increasing numbers of persons securing public aid, and resulting increased costs, do not in themselves reflect deficiencies in the public assistance programs. While the reaction of certain groups is to condemn the program and seek to restrict costs by arbitrary eligibility requirements and lowering the standards of aid, this approach ignores the basic problems that contribute to these increased costs.

There must be real concern over these increasing costs This concern must also be weighed against the consequences of failing to provide adequately for those in need. No solution has been reached as to what we can afford or what we cannot afford for public welfare. Part of our problem is that the public assistance programs are carrying a burden that was not contemplated when the modern public welfare programs were established. The major concern should be to determine the reasons for this and to attack basic causes of dependency as well as to examine administration of the programs themselves.

The American public has accepted a responsibility for meeting the minimum needs of those who are incapable of fully supporting themselves. However, we do not have unlimited capacity for doing so without endangering other essential services of government such as education, public health, rehabilitation and employment services, and other public welfare functions which in themselves influence dependency. We cannot afford, without injury to these other essential functions of government and to the basic responsibilities of individuals, to meet requirements on a basis that exceeds a minimum for maintaining persons on a decent and adequate basis. We can afford to meet the minimum needs of all persons who are incapable of fully supporting themselves, and we can better afford this if we seriously attack the basic problems of need, as well as administer the public assistance programs as economically and efficiently as possible consistent with their basic purposes.

The principal factor affecting public welfare case loads is economic opportunity as measured by employment and unemployment. This is illustrated by the great numbers of persons who received various forms of public aid in the depression of the 1930's. When more employment became available and particularly with the beginnings of the defense program in 1940 and 1941, relief loads declined rapidly. Peak employment conditions of the World War II period were accompanied by low points in welfare loads, particularly in family cases.

Population change has a direct influence on public assistance loads. The gross change in population experienced in California in recent years would in itself account for an increased welfare load if the proportion of needy to total population remained the same. Changing character of population in terms of the proportion of aged or of children to the total influences individual programs.

There are many other causes of economic dependency, such as ill health, disability, accidents, emotional instability; limited employable skills; exclusion from the labor market because of race, color, or age; death of the family breadwinner; and increased costs of living which may cause marginal income families to become in need or reduce contributions of relatives.

The overwhelming majority of people in need are in that condition because of factors over which they have little or no control. Few persons need public assistance because of their own wilfull conduct, and few prefer such assistance to being self-supporting and maintaining. This fact was demonstrated during the war when large numbers left the welfare rolls as employment became available and is again reflected in recent trends, particularly in the general relief program, following improvement of employment conditions in the latter half of 1950.

Welfare loads are also influenced by standards of eligibility and the methods of administration of the program. Technical eligibility requirements such as restricted the aid to needy children program prior to October 1, 1949, may keep down total numbers assisted under particular programs irrespective of the volume of economic need. Liberal legal definitions, such as those relating to property and income that persons may retain and be considered in need, will result in greater numbers receiving aid. The actual standards of assistance themselves, being measurements of what are considered basic minimum requirements, may

influence the total number of eligible persons. The effectiveness with which legal and administrative standards are applied in individual cases, including the determination of resources, influence welfare case loads and total costs Legislative and administrative practices can create attitudes of dependency which increase welfare loads and costs.

Evaluation of welfare trends requires that they be related to basic socio-economic changes that have direct relationship to the total number of persons in need. These are the primary factors and their solution lies outside the public assistance program itself. But there are certain actions that can be taken within the program to minimize costs.

The basic approach to the total problem is through limiting the need for public assistance by reducing dependency. A United States Senate Committee [1] studying problems of economic security, recently pointed out that one-third ($\frac{1}{3}$) of all families and individuals in the Country had money incomes of less than $2,000 in 1948. For urban areas, the major classifications of these low income persons were· (1) women head of families; (2) aged persons; (3) persons with little skill or education; and (4) disabled persons. These are the same groups that make up the greater portion of the welfare loads.

That committee outlined the following essentials for meeting the problem:

1. Good employment opportunities, including those for persons with limited productivity;
2. Equal opportunity to all to improve and use their own capacities;
3. Breaking the vicious circle process under which poverty and dependency tend to perpetuate themselves, with particular emphasis on educational deficiencies and lack of occupational skills;

These solutions require broad community action and are not within the power or authority of public welfare agencies themselves to correct. The basic responsibility of the welfare departments is to provide financial aid and services when they are needed. It is this responsibility that is the primary concern in preparing this report, which attempts to analyze the present programs in terms of their effectiveness in meeting primary objectives and the extent to which they can be strengthened and improved in doing so.

Fundamentally, the public assistance program is based on the acceptance by the community of its responsibility for providing financial aid and services to those who for one reason or another are unable to maintain themselves. It is not an end in itself, but a means for alleviating suffering and hardship and for helping people to help themselves regain independence and self-sufficiency The basic elements of a sound public assistance program include the following:

1. Persons in economic need should be assisted on the basis of that need and without regard to other factors which have no relationship to the economic need itself;

2 Financial assistance should be based upon standards designed to measure actual need and to provide help on a basis that bears a sound relationship to the costs of minimum but adequate living;

[1] "Low Income Families and Economic Security" Report of the subcommittee on low-income families Joint Committee on the Economic Report Document 146, Eighty-first Congress, Second Session

3. Aid should be granted on a basis that is equitable to all persons in need, and in such form as to preserve self-reliance and self-respect;

4. There should be maximum use of the resources of individuals to help themselves, including use of all types of community resources and agencies available;

5. Emphasis should be placed on providing the services that will help people solve problems causing their need or to rehabilitate them for productive effort and self-sufficiency;

6. Protective services should be provided for children, the aged, and other persons who require such services;

7. There should be continuing research into problems resulting in dependency and into actual application of policies and procedures for administering the program so that preventive programs may be developed and policies and procedures tested in application and adjusted to meet changing conditions.

The California public assistance program does not measure up fully to the foregoing standards. Its development over the years has been on a piecemeal basis and in reality is a series of different programs designed for specific groups of people. Adjustments that have been made in the past have frequently been confined to these separate groups of people rather than on a basis of a total integrated social welfare program for all of the people of the State.

As a result the total program is full of contradictions. Some groups of needy people are treated on a basis that is very liberal in contrast with other states. Others are treated on a basis that would be considered extremely restrictive in many states. Certain persons over age 65 are provided only very limited help because of citizenship or residence factors while others are granted adequate assistance. For technical reasons, children in certain families (aid to needy children) are provided with help on a basis of uniform basic standards while those in other families are helped on a basis varying with the policies of the individual counties of their legal residence.

Administration in California is extremely complicated by the division of responsibility between the state department and the counties. There are not uniform standards of administration and attainment of effective and efficient administration on a state-wide basis is made exceedingly difficult. Neither has there been developed the type of research and analysis through which program operations can be carefully evaluated and interpreted or which can be useful in development of prevention programs.

The basic factor in administering a public assistance program is to determine when need exists and at what level or standard of living the need is to be met.

Varying standards are established by law for the different groups of persons assisted under the categories of assistance established in California. In certain instances the basis for determining when need exists may be considered very liberal. In others it is very restrictive.

The common concept of a needy person is one who does not have sufficient resources or income to support himself even over a relatively short period of time.

Eligibility for assistance is based upon the measurement of the individual applicant against whatever standard of need has been established. In California program it is also based upon other factors relative to the age, citizenship, residence, etc., of the persons applying for assistance.

Many of the problems that have arisen recently are but a natural development following adjustment of the economy following the last war. The wartime reduction in welfare cases was due primarily to extraordinary economic factors inherent in a wartime economy. There are current indications that a similar trend may accompany the present complicated international situation. Such will take pressures off the program through the reduction in cost. The lessening of these pressures should not result in ignoring the basic problems that will again assert themselves but should be used as a means for objective evaluation and strengthening of the program to meet possible future needs.

For the present it would seem advisable to concentrate on securing a better balanced program and for lessening the differences that exist in the separate programs for various groups of needy persons. Strengths existing in individual programs should be retained. Technical or administrative faults that may cause these programs to be liberal in the sense that they do not properly measure need and thus cause unwarranted expenditure of public assistance funds can be corrected. Discrimination toward certain groups of needy persons should be removed to provide a balanced integrated program for meeting the needs of all persons on a more equitable basis. Varying standards applicable to different groups of needy persons need to be modified or eliminated so that the total program can better meet its basic objectives.

Simultaneously greater emphasis should be given to research, both in terms of identifying and evaluating basic causes of dependency and in administrative analysis to improve the processes of determining need, to evaluate standards of assistance and their application, and to streamline operational methods to provide better services and reduce administrative costs.

In this process, there needs to be careful integration of the California public assistance programs with the basic national social security program. Particular emphasis needs to be placed upon relationships of public assistance in California to the national old age and survivors insurance program. A fundamental question is presented as to whether it is advisable for this State to establish its programs on a relatively self-sufficient basis, or whether public assistance is to be considered as a residual form of help to those not protected or receiving insufficient protection against economic need under the national insurance program.

III. PUBLIC ASSISTANCE COSTS

Despite the relatively rapid increase in welfare cases the past few years, the number of cases as of June 30, 1950, was substantially lower than the total relief load of 1940 even though there had been a spectacular growth in the population of the State. The following table shows the more significant trends in welfare cases during that period. In 1940 there was an accelleration of employment due to the defense program. The wartime employment peak was reached in 1945.

In 1940 the bulk of the relief load was being carried under the emergency relief program administered by the State Relief Administration. These cases were those in which there were employable members of the family. This program was discontinued as development of the defense program made it no longer necessary.

Trends, June, 1940-1950

Recipients	*June 1940*	*June 1945*	*June 1948*	*June 1949*	*June 1950*
Old age security	141,792	157,876	188,267	245,294	266,837
Blind (A. N. B. and A. P. S. B.)	7,161	5,414	7,404	8,483	9,810
Aid to needy children (total children)	42,359	19,177	42,357	59,273	123,428
General relief (persons)	71,170	19,780	66,579	89,604	84,943
Emergency relief (S. R. A.) persons	[a] 366,472	--	--	--	--
Total persons	628,954	202,247	304,607	402,654	485,018
[a] March, 1940					
Families					
A. N. C.	14,974	6,552	16,449	24,160	50,116
General relief	[a] 13,604	3,159	13,328	18,264	15,707
S. R. A. emergency relief	[a] 82,108	--	--	--	--
Total families	110,686	9,711	29,777	42,424	65,823
[a] March, 1940					
Single persons					
General relief	[a] 23,791	7,866	15,740	18,096	24,806
S. R. A. emergency relief	[a] 28,179	--	--	--	--
Total single persons	[a] 51,970	7,866	15,740	18,096	24,806
[a] March, 1940					

Despite manpower shortages during the war and greater availability of employment to aged persons, the old age security cases were relatively constant during the war period. Caseloads in all other programs showed marked declines.

Since the end of the war the total number of blind persons receiving aid has increased to a point substantially above the 1940 level. However, family cases and those of single persons receiving general relief in June, 1950, were substantially below the 1940 relief levels.

In September, 1950, over $27,700,000 was expended for assistance, this representing an increase of approximately $3,300,000 over September, 1949. Sixty-nine percent of these 1950 costs were for the Old Age Security program as compared with 23 percent for aid to needy children, 5 percent for general relief, and 3 percent for aid to the needy blind.

Expenditures for Assistance, September, 1950, 1949

Program	*Sept., 1950*	*Sept., 1949*
O. A. S.	$19,140,729	$18,379,897
A. N. B.	825,561	734,143
A. B. S. B.	53,453	44,938
A. N. C.	6,324,323	3,292,083
G. R.	1,388,458	1,991,496
	$27,732,524	$24,442,557

The one-year trend in persons aided by programs reveals a spectacular increase in the aid to needy children program and a substantial reduction in the general relief program. This reduction in general relief was confined to family cases, single person cases having risen during the year. This reflects the transfer of general relief families to the aid to

needy children program beginning in October, 1949, as well as improved employment conditions experienced over several months prior to September, 1950. The fact that the general relief single person load did not respond materially to employment conditions indicates that it is made up primarily of unemployable single persons.

Trend in Recipients by Program, September, 1949-September, 1950

Program	*Sept., 1949*	*Sept., 1950*	*Net change*
Old age security	259,876	270,562	+10,686
Aid to needy blind	8,916	9,980	+1,064
Aid to partially self-supporting blind	530	629	+99
Aid to needy children, persons	95,228[a]	198,095[a]	+102,867[a]
General relief, persons	91,525	55,969	—35,756
Total	456,075	535,235	+79,160

[a] Number persons. A N C estimated Actual count of persons not available

Trend in General Relief Cases, September, 1949, to September, 1950

	Sept., 1949	*Sept., 1950*	*Net change*
Family cases	73,439	33,001	—40,438
Single person cases	18,086	22,968	+3,882

Estimated Trend in Total Children, Aid to Needy Children and General Relief

Aid to needy children	63,624	132,878	+69,254
General relief, children [a]	35,711	14,553	—21,158
Total children [a]	99,335	147,431	+48,096

[a] General relief children estimated on basis of number families Actual count not available

The general trend in public welfare expenditures throughout the Country is illustrated by a tabulation of expenditures per inhabitant for the various programs for the fiscal years ended June 30, 1948 and 1949:

United States	*1948*	*1949*	*Percent increase*
All programs	$10.80	$13.06	20.9
Old age assistance	7.07	8.43	19 2
Aid dependent children	2.22	2.77	24.8
Aid to blind	.26	30	15.4
General assistance	1.25	1 56	24.8

Source Social Security Bulletin, May, 1950

Comparison of California with other states in which the expenditure per inhabitant for public assistance was $15 or more for the Fiscal Year 1949 shows that during that year California was relatively high in old age security and low in aid to needy children costs per inhabitant:

Expenditures per Inhabitant, Fiscal Year Ended June 30, 1949

State	*Total*	*Old age assistance*	*Aid to dep. children*	*Aid to blind*	*General assistance*
Colorado	$39.76	$33.71	$3.91	$ .21	$1.93
Oklahoma	33.12	25.81	6.21	.69	.41
Louisiana	31.83	23.42	5.01	.30	3 10
Washington	28.23	19.08	5 12	24	3.79
California	20 50	15 31	2 52	.73	1.94
Missouri	20 22	15.04	3 51	.30	1 37
Massachusetts	19 30	13.77	3 06	.19	2.28
Utah	16.74	8.64	5.93	.18	1 99
Florida	16.56	11.73	3.91	59	33
Montana	15.68	10 98	3 20	.48	1.02

Source Social Security Bulletin, May, 1950

Increased costs in recent years have been met primarily from state and federal funds with county financial participation being relatively constant and representing a progressively smaller share in the total expenditures.

Total assistance expenditures in 1949-1950 were 222 million greater than in 1941-1942. The old age security program accounted for about 70 percent of these increased costs.

Total public assistance payments by source of funds for fiscal years, as indicated:

(Excludes WPA and other federal emergency programs 1941-1942)

Fiscal year	*Federal*	*State*	*County*	*Total*
1941–1942	$39,120,619	$22,876,373	$30,091,879	$92,088,871
1943–1944	39,620,275	47,340,349	16,623,688	103,584,308
1945–1946	40,194,375	49,117,664	20,772,075	110,084,114
1947–1948	59,467,471	71,392,794	32,609,260	163,469,525
1948–1949	79,181,608	107,000,359	32,975,372	219,157,339
1949–1950	107,819,064	165,447,314	40,687,537	313,953,915

Assistance, Expenditures by Program

Fiscal year	*Old age security*	*Aid to needy blind*	*Aid to partially self-supporting blind*	*Aid to needy children*	*General relief*
39–40	$57,501,239	$3,956,533	—	$8,755,490	$9,561,033 [1]
41–42	69,181,797	3,922,949	152,627	9,922,486	8,908,011
43–44	88,646,360	3,429,042	137,495	6,924,285	4,447,130
45–46	90,898,411	3,528,879	204,631	8,437,031	7,015,161
47–48	123,224,052	5,434,261	382,566	19,382,549	15,045,897
48–49	163,293,210	7,286,925	479,039	29,798.805	20,197,819
49–50	225,367,932	9,182,143	553,219	53,504,614	25,346,787

[1] Expenditures of $38,089,093 through State Relief Administration not included

Costs per Case

Responding to legislative changes and to cost of living increase, average payments per case have increased substantially over those prevailing in 1945 except for the general relief family category. Comparison of costs between various periods has certain limitations since average payments reflect actual grants made and do not measure total requirements as determined by administrative or legislative policy.

The great difference between average costs for general relief and aid to needy children families may be due to several factors. The general relief families may have more outside resources to apply against total need, necessitating smaller payments to meet total requirements. There are no uniform assistance standards for general relief cases, and in many instances it is indicated that only emergency help may be given. A much higher proportion of these cases may be receiving assistance for only part of the month although they are included in determining the total average.

Because of general economic conditions, more resources outside of the assistance payment may be available to families, such as through part-time earnings or help from relatives, in one year than in another.

Average Payments per Case—Month of June

	1945	*1948*	*1949*	*1950*
Old age security	$47.31	$57.09	$70 55	$70.68
Aid to needy blind	47.71	72.41	82.41	82.47
Aid to needy children				
Families	81.20	109.94	113 70	110.63
Children in bd. homes and institutions	34.31	44.72	52.36	54.03
General Relief				
Families	60.06	65.01	66.25	63.75
Single persons	27.87	32.78	33.72	35.89

The trend in average payments for aid to needy children more nearly reflects adjustment of assistance payments because of cost of living changes than do those in other programs. In both the aged and blind programs the Legislature has established a minimum-maximum payment amount which is not directly related to assistance standards such as developed for the aid to needy children program.

Average payments for the general relief program cannot be evaluated, either in the trend shown in the program or with other programs because of the great variation in policy in the 58 counties. These averages do not necessarily reflect true monthly averages because of the relatively high incidence of very short-term assistance cases and it is probable that the true monthly average would be higher than is shown by the data available.

IV. AID TO NEEDY CHILDREN

A. INTRODUCTION

The spectacular growth during the past year and a half in case loads and total costs has focused public attention on the aid to needy children program.

Critics of this program have pointed to the rapid increase in the cases since passage of Assembly Bill No. 40 by the 1949 Legislature (effective October 1, 1949) which amended Section 1500 of the Welfare and Institutions Code, redefining "needy child" for purposes of eligibility for aid under the program. These critics have referred to "liberalization" of the law and have alleged too liberal interpretation of it by the Social Welfare Board.

From September, 1949, to September, 1950, the number of children receiving help through this program more than doubled. The trend is shown by the following table:

	September, 1949	*September, 1950*	*Percent change*
Total children	63,624	133,384	+109
Total families	26,337	54,348	+114
Children in families	58,277	124,397	+114
Children in boarding homes and institutions	5,347	8,481	+59
Total expenditures	$3,292,083	$6,324,393	+93
Expenditure for families	3,002,212	5,867,173	+96
Expenditure for children in boarding homes and institutions	289,871	457,438	+58
Average grant, family	113.99	107.96	—5.5
Average grant, children in boarding homes and institutions	54.21	53.91	—.8

The principal reason for this increase is that the law was amended in 1949 to make its coverage substantially similar to the federal aid to dependent children program, California being one of the last states to adopt the basic eligibility requirements of the federal act.

These legislative changes had the effect of classifying an additional group of needy families under this particular program. Many families receiving aid under county general relief programs thus became eligible for aid under the A. N. C. program instead of the general relief programs. Much of the increase in case load was thus a transfer of cases from one category of public assistance to another.

This effect should not be surprising, as can be illustrated from the following extracts from reports of the Department of Social Welfare for biennial periods ending June 30, 1940, and June 30, 1946:

"Roughly estimated, from 240,000 to 290,000 children under 18 years of age were in families receiving some form of public assistance or federal security wage at the close of the last fiscal year. It may be stated with some confidence that one out of seven, or one out of eight children under 18 years of age were at the relief level. These numbers give some indication of the extent to which adequate financial care for children is a problem in California." (Department of Social Welfare Biennial Report, July 1, 1938, to June 30, 1940, page 34.)

"Thus, there remains a large group of needy children who are ineligible under the state law and whose care rests entirely on the counties. If the state definitions were broadened to include all children covered under the Social Security Act, the state and federal funds available for these children would assist the counties and result in a more uniform and adequate standard of care for children " (Department of Social Welfare Biennial Report, July 1, 1944, to June 30, 1946, page 33.)

In interpreting recent trends in the A. N. C. program, it is thus necessary to recognize two facts. The number of families receiving this form of assistance was increasing steadily prior to the effective date of the 1949 amendments and had there been no amendment in the law there would have continued an increase in the number of families and children assisted under the program. Secondly, a large portion of the increase that has been experienced since October 1, 1949, has been due to a transfer of cases, because of technical eligibility, from the county general relief loads to the aid to needy children program.

Because of the change in technical eligibility requirements, comparison between the number of A. N. C. cases, or the proportion of the children in the population receiving assistance under this program, before and after the 1949 amendments is only of general significance.

For similar reasons, comparison of case loads in California, or proportion of children aided, with those of other states has extremely limited value. Such comparisons are of little meaning unless they are evaluated in relation to the differences in legal definitions as well as economic variations and different administrative practices between states.

The trends in the A. N. C. program since passage of Assembly Bill No. 40 have been distorted because of the transfer of cases from general relief making it difficult to arrive at specific conclusions as to what the normal trend in the program would have been. It is noted, however, that the rate of increase in cases fell off considerably in the third quarter of 1950, and it can be expected that the increase in cases would level off during the fourth quarter and with continued good employment conditions possibly even decrease. However, actual statistics for the full fourth quarter are not available for this report.

There also has been a radical change in the number of families receiving general relief under the county indigent aid programs. The number of these families declined from 18,864 in September, 1949, to 9,640 in September, 1950.

In both the aid to needy children and general relief programs, the numbers of families being aided was increasing steadily before the passage of Assembly Bill No. 40. This was due to the changes in our total economy following the war. It was a national as well as state trend. Unemployment and population changes were principal factors.

There are close relationships between the general relief family cases and the A. N. C. program. A large proportion of the present A. N. C. load is made up of cases that were on general relief or were potentially general relief cases prior to Assembly Bill No. 40. Most of the cases currently classified into the A. N. C. program are first provided assistance under general relief because of delays in determining technical eligibility for A. N. C.

Comparisons are limited by incomplete information as to composition of the general relief family case load and the basic reasons why families must seek public assistance. It is not known just what proportion of general relief families are those in which there are adults only. Because of the transfer of cases between the programs, there may be some duplication of count in statistics for given months. Eligibility requirements and administrative standards for the general relief program vary considerably between counties, there being no uniform base for determining eligibility or for the standards of assistance. However for general comparative purposes, the trends in both programs have significance.

Variations between counties, due to economic factors as well as differences in availability of county general relief aid, and the effects of the revised A. N. C. program, are demonstrated by the following comparisons for the 12 largest counties:

Aid to Needy Children and General Relief Family Cases
Total Change in Case Load, September, 1950, Over September, 1949
for the 12 Largest Counties

County	*Percent change, A. N. C. families*	*Percent change, general relief families*	*Percent change all A. N. C. and general relief families*
Alameda	+140.6	—82.9	—1.2
Contra Costa	+147.4	—77.8	+8.8
Fresno	+124.2	—70.3	+64.2
Kern	+112.8	—73.3	+37.2
Los Angeles	+96.9	—76.7	—9.7
Sacramento	+149.7	—78.8	+44.8
San Bernardino	+88.2	—65.0	+23.1
San Diego	+105.2	—76.0	—2.5
San Francisco	+155.0	—83.5	—26.2
San Joaquin	+171.2	—71.1	+59.6
Santa Clara	+88.5	—73.8	—4.6
Tulare	+83.9	—48.2	+47.9

Aid to needy children families have increased steadily for a period of years and showed a more rapid increase for the six months just preceding the effective date of the 1949 legislative changes. Begininng with October, 1949, they increased at an extremely rapid rate due to transfer of cases from general relief.

The total increase of 40.7 percent in families aided under both programs for the year ending September, 1950, was actually less than the 53.4 percent change in the preceding year. A comparison of total cases

in these programs for the months of September for 1948, 1949, and 1950 is as follows:

	General relief families	*A. N. C. families*	*Total general relief and A. N. C. families*
September, 1948	11,835	17,622	29,457
September, 1949	18,864	26,337	45,201
September, 1950	9,224	54,348	63,572
Net change September, 1948, to September, 1949	+7,029	+8,715	+15,744
Net change September, 1949, to September, 1950	—9,640	+28,011	+18,371

The general relief program is more sensitive to employment changes than the A. N. C. program because of the technical eligibility factors. General relief family cases have shown definite seasonal changes, reaching a peak in the spring and a low point in early fall. However the total family cases has increased at a steady rate for a considerable period to a peak coinciding with the high unemployment of the spring of 1950. This peak would have been much higher except for the broadening of the eligibility base for A. N. C. The case load has fallen off rapidly in recent months due to improved employment conditions, but would currently be at a much higher figure if the A. N. C. program had not been broadened in 1949.

This broader eligibility base in the A. N. C. program makes it more sensitive to economic change than prior to the 1949 amendments. Now that the bulk transfer of general relief cases has been completed, monthly and quarterly trends in new applications, cases approved, and cases discontinued should have closer relationship to changes in employment conditions, and population changes than heretofore.

The rate of increase in cases under the A. N. C. program for the two-year period ending September 30, 1950, is illustrated by the following figures showing monthly averages for quarterly periods. These figures show the increased rate of applications through September 30, 1949, the very sharp increase for the next six months (this being the period during which there were large transfers of cases already on the general relief rolls), and a gradual decline in the monthly applications since April 1, 1950:

Average Monthly Applications Received, Applications Granted, Applications Pending, and Cases Discontinued, by Calendar Quarters, October, 1948, to September, 1950

	Applications received	*Applications granted*	*Applications pending*	*Cases discontinued*
1948				
4th Quarter	1,259	936	2,856	387
1949				
1st Quarter	1,732	1,003	3,672	308
2d Quarter	1,555	1,279	3,709	401
3d Quarter	2,851	1,236	5,013	498
4th Quarter	4,672	3,142	9,921	575
1950				
1st Quarter	4,582	3,352	10,811	619
2d Quarter	3,543	3,579	7,999	1,055
3d Quarter	2,997	3,036	5,262	1,674

The number of cases discontinued represented over 3 percent of the total case load in the third quarter of 1950 as compared with 1½ percent of the total cases in the fourth quarter of 1948. This illustrates the changing character of the program and its sensitivity to economic changes.

The second and third quarters of 1950 were periods in which there was substantial improvement in general employment conditions. During these periods the average cases discontinued per month showed particularly sharp increases.

It should also be noted that for a period of a year there was a particularly heavy load of pending applications, illustrating one of the administrative problems involved in the program since the changes made by the 1949 Legislature.

Recent increase in the A. N. C. case load in California is not a situation unique to this State. Nationally the aid to dependent children case load decreased substantially during the war as a result of wartime employment opportunities. As reconversion to a peacetime economy took place, the numbers of these dependent families steadily increased. This has been the experience in California although the last years' increase has been more spectacular here than in most states because of the amendment of the law providing for technical changes in eligibility, resulting in the statistical transfer of a great many general relief families to the A. N. C. rolls.

Aid to needy children case loads and costs are directly affected by legislative changes, economic, social, and population changes. Family dependency is directly affected by employment and unemployment; by cost of living changes; by the rate of divorce, desertion, separation, illegitimacy and other social problems affecting family life; and by population change, particularly in relation to numbers of children in the total population.

The basic purpose of the program is to provide minimum security for children in their own homes. It is designed to maintain family life and to provide to needy children deprived of parental care or support the opportunity to live and develop into maturity in a setting that will help them become responsible, contributing members to society

Total families and children assisted, and the costs of aid to them, must be matters of concern. However the basic causes of dependency are products of our total economy and cannot be directly influenced by the aid to needy children program. Recognition and attention to these problems is extremely important, but must be taken separately and apart from the A. N. C. program itself.

Analysis of the aid to needy children program should be based primarily upon whether it provides for realistic measurement of economic need, how effectively that need is met, the extent to which community and family resources are used to assist persons to remain or become self-sufficient, and how economically the program is administered to insure maximum economy while providing for adequate help to fulfill its objectives.

The 1949 amendments have resulted in bringing under this program, with relative uniformity of standards of help, a large group of children who otherwise would be provided assistance through county general relief programs of varying adequacy. It thus provides more equitable treatment and help to these children regardless of the county of their residence in the State. To this extent it has provided greater assurance to these children and their families that the basic public purpose for which the program was established will be carried out.

There still remain many needy families with children who do not have the protection of this program because of its technical requirement that economic need be recognized only where the child is deprived of care or support because of the death, other absence or incapacity of the parent.

There should be considerable research and study into the reasons why families are in want as a basis for preventive or corrective action to minimize economic need. This is the soundest method for reducing public assistance costs—because people are not in need of such help. At this time, however, there is extremely little information available for analysis of the basic problems evidenced by the increasing number of needy families. Likewise there is little information available of the actual administration of this particular program through which a sound evaluation can be made of its soundness in operation to meet the objectives of the program.

The staff has concerned itself primarily with how the program can be better designed and administered to meet the needs that exist in as economical a manner as possible. It recognizes the lack of sufficient data for detailed evaluation, and in many respects its conclusions must be necessarily general because of absence of adequate program research by the operating agencies.

With the basic objective of the program in mind, the staff has sought to evaluate the effectiveness with which these purposes are carried out through administration and the extent to which changes in the law or in its administration can be made to better achieve the objectives with maximum economy to the taxpayer.

The establishment of laws or regulations that deprive needy families of aid on the basis of arbitrary factors that have no direct relationships to economic need will not solve the problems presented. However improvements can be made in administration of the program that will enable it to better fulfill its basic purposes.

B. ELIGIBILITY DETERMINATION

1. General

Finding that a family is eligible for assistance involves several factors, legal and administrative. The laws establish a number of specific conditions that must be met, such as age, residence, death, absence or incapacity of the parent, and limitations upon personal and real property holdings.

To test eligibility of a family on the basis of need, as well as applying technical legal requirements, it is necessary to administratively define need and to investigate and evaluate the circumstances of the applicant family to determine whether it is entitled to aid under these standards.

The State Department of Social Welfare is responsible for establishing the standards, or measurement of need, within limits established by the Legislature, and for setting down the minimum requirements to be met by the counties in securing and evaluating evidence of eligibility for aid.

County welfare departments are responsible for investigating need and determining initial and continuing eligibility, and for providing auxiliary services to families involved.

There are three major areas for consideration in evaluating eligibility requirements:

1. The law as set forth in the Welfare and Institutions Code, and regulations and procedures for implementing the law;

2. Standards established by the State Department of Social Welfare for determining need; and

3. Effectiveness of the county welfare departments in applying the state standards in making the actual determination of need in the individual cases and in providing services that may make it possible for the family to overcome the problems causing economic need.

These three factors cannot be isolated one from the other. The extent to which legal requirements are effective is dependent upon the manner in which they are placed into effect. State rules and regulations should be evaluated with respect to their actual implementation at the county level.

Determination of eligibility may be considered in two principal phases. There are the findings of fact concerning technical eligibility such as determination of age, residence, absence of the parent and incapacity, to meet requirements set out in law. The second phase is the evaluation of resources and requirements of the family to determine whether economic need exists and if so, the amount of assistance to meet that need. These determinations must be made continuously to ascertain whether a family receiving assistance continues eligible or whether circumstances have changed warranting adjustment of the assistance plan. This is the function of administration and may be of greater importance than actual legal framework.

Evaluation of administration of the program is particularly difficult because of the division of administrative responsibility between the state department and the 58 counties The committee has not had the resources to make extensive studies of administration of the eligibility requirements in the various counties. Since there has been insufficient program research at both the state and county level upon which a detailed analysis of administration can be based, the findings of the committee must be somewhat general in nature.

Some critics of the program have contended that state regulations are unrealistic and too liberal, thus causing costs to be excessive. In supporting their case, they frequently cite abuses of the program which are fundamentally problems of administration at the county level. While criticizing the state department for these administrative breakdowns, they also contend that the state department should not exercise as much control over the program as they do under the present law.

The inconsistencies in these arguments point up the difficulty in evaluating the program in operation and determining responsibility and accountability. This is particularly so because of the variation in administrative practice among the counties which in itself may indicate that the state department has not exercised sufficient supervision over the operations of the program and the effectuation and implementation of the policies that it is responsible for formulating.

In its general statement on the problem of determination of eligibility, the state department states in its manual (Sec. C-200):

> "Effective administration of the A. N. C. program depends upon a thorough and accurate determination of eligibility followed

by periodic redetermination of continuing eligibility. Determination of eligibility is the process of gathering evidence of the circumstances of the child for whom application is made as related to the conditions of eligibility established for the program, the evaluation of the adequacy and competency of the evidence, and the arrival at a decision as to eligibility, continuing eligibility, or ineligibility. It includes the accumulation and recording of evidence to substantiate the applicant's statement on the application that he believes the child to be eligible. On the basis of the evidence assembled by the applicant and the county, the county shall make the determination or decision as to eligibility or ineligibility."

Effective administration of the A. N. C. program is also dependent upon a skillful exploration of potential as well as available resources of the family, analysis of the basic causes of dependency, and assistance and encouragement to the family in working on these basic causes to remove dependency and so restore the family to self-sufficiency.

Under a mothers-pension type program, such as existed prior to October, 1949, emphasis upon technical factors of eligibility was much more meaningful than now under a program that is sensitive to social and economic factors in the community. The fact that there is a relatively high turnover of cases is indication that the causes of dependency are frequently temporary and that there are many short-term cases included in the program. In recognition of this changing character of the A. N. C. program, greater emphasis should be placed on assisting families to overcome dependency problems and thus hasten the process of their becoming independent and self-directing.

The primary importance of administration is emphasized by the Welfare Director of San Diego County who in a letter to the committee stated as follows:

"As one of those who has administered aid to needy children in this State for many years I believe that Assembly Bill No. 40 and the present aid to needy children law, as such, is very good and is a tremendous improvement over the old aid to needy children law. Our trouble with it to date in every county in California is the fact that it is not yet realized that this new law has made the aid to needy children problem a fast-moving relief program instead of the former 'mother's pension'."

* * * * * * *

"* * * the troubles which counties are having with the present aid to needy children law are directly related to the number of persons employed on administrative staffs. Those counties which carry low caseloads and are able to continue frequent home visits show far less than average increases in caseload and expense. Other counties which expect to carry large caseloads per social worker, as in the old days, are the ones in which caseload and therefore expenditures seems out of control."

2. Investigation of Applications

a. Soures of Evidence

One of the frequent criticisms of the State Social Welfare Board by the county administrative agencies involves the policy that the applicant shall be considered the primary source of evidence in determining eligibility for aid to needy children aid.

This criticism implies that because of state policy, the counties are hampered in making complete and accurate determination of eligibility. It appears intended to place upon the state department responsibility for failures that may exist in making sound determination of need and other eligibility factors.

The State Department Manual (Sec. C-202) states as follows:

> "The applicant shall be the primary source of evidence. Usually he will be able to state his circumstances and those of the child, as related to eligibility, in such a way that will leave no doubt as to eligibility. In those instances in which the applicant is unable to give definite, clear, and complete information which leaves no doubt, or in which evidence other than the applicant's statement is required, the applicant usually has or can secure additional evidence to substantiate his statements. Such evidence in the applicant's possession of which he is able to secure shall be used whenever available."

This policy places the burden of proof on the applicant. It also implies that in most instances the applicant is able to provide full evidence of eligibility and that the applicant's statement can usually be accepted as accurate. However, it recognizes that this is not always the case and provides that while the applicant should be considered the primary source of evidence, doubt will exist in some situations requiring independent gathering or checking of evidence.

In Section C-200 of the manual, it is provided that, "All reasonable sources of evidence shall be diligently examined, and all doubtful or conflicting evidence carefully evaluated, before assistance is denied."

"Since it is the county's responsibility to make an accurate determination of eligibility to assure that a child's needs are met and public funds are properly spent, the basis for the determination, that is, all evidence on which the determination is based, shall be fully recorded * * *."

Throughout the state policy the basic responsibility of the county welfare departments for the determination of fact as to eligibility is stressed. There does not appear to be any conflict between the principle that the applicant be considered the primary source of evidence and the responsibility of the counties for accurate determination of all points of eligibility. There is no rule or regulation that restricts the counties from checking other sources for determination of eligibility, except that the confidential nature of the application shall be protected. In fact some counties appear to go to extreme lengths in routine clearances to determine property holdings, bank accounts, etc., as part of the regular investigating process.

The policy of the state board concerning use of the applicant as the primary source of evidence is not unique to California. It is a common

practice throughout the Nation. It is a means of keeping administrative costs in control and minimizing the time required to process applications. It is based upon the fact that the great majority of people are honest and are able to present their situations accurately. At the same time it recognizes that in the interview process doubt will frequently arise, and in such situations other means of investigation and determination of the facts should be utilized.

Any other policy would appear to be unsound and to involve an unwarranted expenditure of administrative funds in making routine checks and clearances not justified by the results attained. Skilled interviewers can detect situations that indicate the need for further investigation in practically all cases. Those few situations in which they may not, usually will be detected at the time of the home visit by the social worker assigned to the case.

It would appear that intelligent and effective administration would require that the applicant be considered the primary source of evidence and that as much of the burden of proof as possible be placed on the applicant. Not only does this simplify and reduce administrative cost, but it places a responsibility on the applicant that has positive values to him and to the program as a whole.

Certainly it is not proper to allege that the state department makes it difficult or impossible for the counties to accurately determine eligibility when the state department has clearly assigned them this basic responsibility and has not restricted them in making whatever investigations they see fit in individual cases. In fact analysis should be made of the cost factors in some of the routine processing and checking of applications at the county level to determine whether these are justified in terms of the results attained.

b. Processing Applications

Unecessary routines not only increase administrative costs but frequently result in the loss of federal funds. A very large proportion of A. N. C. cases are first taken on the county general relief rolls and retained there during the investigation process. They are transferred over to the A. N. C. program when the formalities of determining eligibility are completed.

Under the law (Sec. 1550) a 90-day limit is provided for processing A. N. C. cases. Assistance under the program begins with the first of the month in which the application is approved.

Persons making application for aid are in most cases in destitute circumstances at that time. It is necessary, however, to determine that the technical requirements for classification under the A. N. C. program are met before paying assistance through that program. However in most instances sufficient information is available at the time of the interview to make a presumption of technical eligibility.

Practice in many counties appears to be that a complete and detailed investigation of all eligibility factors must be performed before classifying the case under the A. N. C. program. Thus the cases are first placed on general relief while the investigation is being carried out. Assistance is granted, but on a general relief basis and entirely from county funds.

The process is further delayed by the necessity of securing formal approval of the boards of supervisors on all cases, even though this is a routine procedure in the larger counties with little or no actual scrutiny of the lists by the boards.

The result is that there is a substantial loss of federal funds because of delays in classifying the cases under the A. N. C. program.

A study of a portion of the absent father cases revealed that three-fourths of these cases had been carried under the general relief program prior to their classification as A. N. C. cases. In four cases selected at random in one county, it was found that general relief had been paid for an average of two months before the families were placed on the A. N. C. rolls. There was no question of need in these cases at the time of application. However, extensive routine investigations were made before they were submitted to the board of supervisors for approval.

There should be no reason why the time limit for approval or rejection of applications could not be set at 60 days rather than 90. This would speed up the processing of applications, be of help to the needy recipients, and insure more federal financial participation in these cases.

Procedures can be established to minimize the loss of federal funds by prompt classification of cases under A N. C. where evidence in the initial interview gives a clear presumption of technical eligibility. If continued investigation shows that a small proportion of such cases are not technically eligible, adjustments can be made in claiming federal and state funds for this small group. Such a procedure would insure that the State and counties were receiving maximum federal funds available for cases that are obviously in need and for which the counties, and frequently the State, are providing assistance in any event.

During August, 1950, the average cost per family case was distributed to federal $31.13, State $49.37, county $24. During that month 3,108 families were granted A. N. C. assistance. Studies indicate that approximately 75 percent of A. N. C. cases are given general relief before transferred to A. N. C.

If it were conservatively estimated that only one-half of these 75 percent of cases were on general relief pending completion of processing of A. N. C. applications for technical eligibility and could have been classified under A. N. C. one month earlier, there would have been a loss of $37,110 in federal funds for the one month alone.

The requirements that formal approval of all cases be made by the board of supervisors should be modified. In the larger counties, the boards do not review the cases or take any action except the formal approval of the lists as submitted. Yet this process may delay approval under the A. N. C. program for from two to three weeks.

C. RESOURCES

1. General

Resources of welfare applicants or recipients are of wide variety, including such things as available cash; negotiable securities; pensions and allotments; earnings from employment; equities in property; valuable personal effects which can be turned into cash; free rent; goods in-kind, such as home-grown produce; help from relatives either in the

form of cash or goods, such as clothing or payment of certain expenses. There are also many potential resources, particularly employability of a family member.

These resources are of great importance both in terms of actual cost of aid and in their potential utilization for self-maintenance or partial support of the family.

The actual cost of providing assistance can be reduced if the volume of resources of applicants accounted for is increased. These resources when evaluated are deducted from the total family requirements in determining the actual payment to be made. By using potential resources constructively a family may be helped to self-sufficiency thus enabling the termination of assistance to the family.

The importance of accurate and complete determination of resources and fully accounting for them cannot be overemphasized. It is part of the administration of assistance that needs constant evaluation and emphasis so that there is maximum utilization of the resources that families have, with a consequent reduction of the cost of aiding those families.

Little information is available as to what types of resources are being accounted for, their value, and the proportion of the case load affected. Neither is there available data concerning resources that can be analyzed to determine effectiveness of administration of this phase of the program, including comparative data between counties.

A study of 494 absent father cases indicated that these families had average resources of $8.40 that were deducted in determining the actual amount of aid paid. This at least illustrates the importance of resources from a cost point of view since $8 40 average deduction for 54,000 cases would represent $453,600 a month that need not be paid from tax funds to provide for the needs of these families. Any increase in the value of resources or in accounting for resources that are present but not evaluated will result in lowering the costs of the program.

State regulations provide that "All income and resources available for the support of the child shall be determined and related to total needs to establish that a child is 'needy'. Potential income and resources shall be explored and developed so that they can be made available and related to needs."

The state manual contains a lengthy description of various types of resources and methods of evaluating certain resources for purposes of determining value. The extent to which these state regulations are effective in actual administrative practice has yet to be determined.

To determine how effectively state policies are being carried out, there should be considerable research and evaluation of the actual application of these policies by the county administrative agencies. As part of its supervisory role, and as a means of insuring that costs of the program are kept to a minimum, the State has a responsibility for continuous evaluation of all phases of the determination and accounting for resources in administration of the program.

Since little emphasis has been given to this from the point of view of actual administration, it is likely that study and evaluation of the program in operation will reveal possibilities of decreasing assistance costs through increasing the value of resources that may be deducted from

total requirements in determining assistance costs. In fact it is quite possible that material savings in funds can be realized through continuous emphasis of the need for careful and thorough exploration of resources and accurate accounting for them in determining assistance payments.

From data now available, it is impossible to determine how effectively resources are being determined and accounted for. It is an important function of the supervisory authority to make such determinations to assure itself that policies are being properly carried out and to enable it to evaluate existing policies and make them more effective.

2. Real Property Resources

Under Section 1520 of the code, a child or family may be eligible for assistance if they meet all other tests, even though they possess real property with a combined assessed value, less all encumbrances of record, of not more than $3,000.

In its regulations, the State provides that property owned in other states, or in foreign countries, shall be included in determining the total assessed value of all property.

Neither in the law or the state department regulations is there consideration of the use made of the property except that if income is derived it is considered in determining the net assistance payment to the recipient.

Property exemptions in public assistance programs are generally to enable families to retain that property needed and utilized for living purposes. They protect the family against being forced to dispose of property of nominal value which is needed for normal requirements of the family.

There would seem to be few justifiable reasons for permitting families to retain property not in use for normal living requirements or producing income to provide partial self-maintenance. Certainly no hardship arises if property not actually in use is disposed of, the family utilizing the proceeds for living requirements in lieu of public assistance.

Little information is available concerning property holdings of A. N. C. recipients. What data are available from a limited survey of "absent fathers" cases indicates that only a very small percentage of families have real property of substantial value. The following data were reported in the study of absent father cases conducted by the Social Welfare Department in August, 1950:

Assessed value of real property	
None	447 Cases
$1-499.99	16
$500-999.99	11
$1,000-1,999.99	10
$2,000-2,999.99	5
Not reported	5
Totals	494

Amount of encumbrances on real property	
None	458 Cases
$1-$999.99	6
$1,000-1,999.99	3
$2,000-2,999.99	7
$3,000-3,999.99	6
$4,000-4,999.99	0
$5,000-5,999.99	1
$6,000-6,999.99	3
$7,000-7,999.99	3
$8,000-8,999.99	1
$9,000-over	2
Not reported	4
Totals	494

Even though few families might hold property not actually in use, the law and/or regulations should limit property exemptions to that property which is in use and needed by the family.

Where the family may have property holdings not actually used for living requirements, a flexible rule to provide for evaluating the advantages and disadvantages of retaining such property should be in effect. Even though income may be derived from such property, it might be advisable from the public point of view to require that the family dispose of the property and use the proceeds for maintenance.

Provision in the law deducting encumbrances in determining total value based on the assesment raises questions. The purpose of a limitation on assessed value is to provide some measure of what is considered a reasonable maximum value of property holdings that should be permitted a family receiving public aid. It would be possible to hold considerable property, with encumbrances, in some instances. In actual operation, certain families are allowed funds in lieu of rent to pay off such encumbrances Thus they accumulate equities in property while receiving assistance In other situations where equities have been established, failure to consider encumbrances might result in loss of the equity and create hardship.

In this situation it would appear desirable to enable the administrative agency to establish policies for determination of the limits on assesed value so that the total property holdings can be kept within amounts considered reasonable for lower income families.

3. Personal Property

Under Section 1521 of the code, cash and securities can be retained to a value not exceeding $600. Actual cash holdings by A. N. C. families appears to be rare and indications are that the great majority of these families have little or no resources at the time of application. This is evidenced by the large percentage of such cases assisted under the county indigent relief programs before final determination of eligibility for A. N C. It is also demonstrated by the following record of cash and securities owned by families in the limited number of "absent father" cases surveyed by the Social Welfare Department in August, 1950:

Cash and Securities Owned

Total cases in survey	494		
None	434		
$1 to $25	21	$100 to $200	10
$25 to $50	4	$200 to $300	8
$50 to $100	15	$300 and over	2

Personal property is defined as "cash and securities." It is permissible under the regulations to retain certain types of income as personal property, limited of course to the total ceiling of $600.

Property such as automobiles is not evaluated and no mention is made of the determination of need for a car or of limitations on value of cars if possessed. The law (Section 1521) refers only to "cash or securities" in providing the personal property exemption. It does not restrict the administrative agency from establishing policy covering treatment of other forms of personal property of value including both its utilization to meet needs of the family and ceiling values on such personal property.

There is public criticism because assistance recipients retain cars of more than nominal value. Regardless of the justification of such criticism or whether such situations actually exist in any appreciable number,

it does seem that assistance policies should provide for the evaluation and limitation on such property.

Personal property might be more broadly defined than "cash and securities" both in the law and in regulations. The administrative agency, in the absence of a strict and detailed definition by law, could provide for restricting holdings of such types of personal property of value as automobiles, jewelry, or other items in excess of commonly considered needs of individuals.

In many situations it is justifiable that cars be retained due to transportation difficulties, health problems, etc. However, limits on the value of such cars should be established, and the determination of whether or not they be retained defined in terms of the need for these by the individual families. Automobiles of excessive value or not a necessity to recipients, jewelry of exceptional value, etc, might well be converted to cash for use for family maintenance before assistance from public funds is granted.

4. Income Resources

Identification and accounting for all types of income resources is one of the most important aspects in administration of public assistance The value of these resources, taken into account in determining the actual assistance payment, is an important factor in over-all costs. The development and use of resources is a positive means of having families help themselves, and of encouraging them to become self-maintaining Good administration requires a thorough exploration of available resources, evaluation of potential resources, and encouragement to the family to utilize all of its resources for its maintenance The thoroughness and skill with which this is done reflects not only in the cost per case and the total number of cases on the rolls, but is an instrument for avoiding creation of attitudes of dependency in recipients and for helping them to help themselves.

a. Employment of Mothers

It is the intent of the A. N. C. program that the mother be able to remain at home and provide the care needed by her children. Departmental policy states "The mother shall not be required to work to provide partial or full support for her children."

Mothers with older children in school may be perfectly able and willing to work to provide partial or full support for their families without endangering the welfare of the children, if encouraged to do so Such self-support should be encouraged so long as such employment is not detrimental to the welfare of the children. Departmental policy might well recognize that there are situations where it is perfectly proper and desirable for the mother to work and thus provide positive leadership and guidance to the county departments in identifying such situations.

In some instances other relatives are in the home who could provide care and supervision for the children while the mother was at work Where such exists, efforts should be made to encourage the mother to work if she is able This is not prevented by state regulations or state policy. However, the state policy is stated in negative form and as such may discourage county social workers from dealing positively with such cases.

b. Employment of Children

(1) Earnings of "Emancipated" Minors. State regulations provide that "earnings of a minor child shall be considered income to the family budget unit unless the child is emancipated." This emancipation is achieved by a relinquishment by the parent to the child of the right of controlling him and receiving his earnings. A child not living under the parental roof is considered to be emancipated if he is using his earnings for his own support.

Since the child, whether emancipated or not, is part of the family unit, his earnings can be considered a possible resource for the family. Soliciting contributions to the family from earnings of minor children should be handled with discretion. However, it is proper to encourage family responsibility by children and such is in keeping with the principles of the program of strengthening family relationships.

This emphasis on the legal "emancipation" of the child, and thus on his lack of liability for helping the family may be a negative approach. There are indications that the fact that a child is "emancipated" is accepted by many county social workers as a final determination without effort to ascertain whether the child can and is willing to contribute to support of the family.

If the child is living at home, he is expected to pay the cost of his food and a pro-rated share of common expenses, such as rent, utilities, and household operation expenses. Such amounts are deducted from the total family budget. However, positive efforts should be made to secure voluntary contributions to the total family maintenance where the child is able to do so.

(2) Other Children. Little attention is given to the possibility of minor children contributing to the support of families through part or full-time employment. Where such children are able to work in suitable employment and without interference with schooling, they should be encouraged to do so.

Since the earnings of minor children (unless emancipated) are taken into account in determining assistance payments to the family, a problem of incentives for such children to work arises. If total earnings are accounted for and deducted from the assistance payment that otherwise would be made to the family, incentive to work will frequently be killed.

This poses a particularly difficult problem. Federal requirements relative to equal treatment of needs of all recipients may make it impossible to permit automatic retention of a specific portion of earnings by such children. However, incentives are possible through permitting retention of certain earnings as expenses incidental to employment, and these are provided for satisfactorily in state regulations, to cover such items as extra food and clothing requirements and educational funds.

D. SPECIAL PROBLEMS

1. The Absent Father Problem

Of all issues involved in the A. N. C. program, the one concerning the absent father has evoked the most discussion and criticism. Much of the public attack on the present A. N. C. program has revolved around this particular problem.

Since 1949 legislative changes in technical eligibility for classification of needy families under the A. N. C. program removed the requirement of three years absence of the father, many critics interpret the spectacular increase in the A. N. C. case load to this particular factor.

Without doubt the absence of the father because of desertion, separation or divorce has become one of the major problems in the dependency of families. Approximately half of the aid to dependent children families throughout the Nation are on the relief rolls because of the absence of the father for reasons other than death. It is the primary factor in dependency of California A. N. C. families.

In considering this problem objectively it is necessary to bear in mind that the purpose of the program is to help children who are deprived of parental support and care and in so doing to maintain and strengthen the family. The granting of financial assistance in itself does not fulfill the objective. There must also be efforts to reunite the family where this is possible.

Broken homes are the product of many influences in our social economy. Desertions and separations and divorces occurred before there was an aid to needy children program. These have increased because of the dislocation of family life and the general impact on our whole social life of war and and changes in social values accompanying developments of the past decades.

The public assistance program in itself does not cause these disruptions in family life. In itself it cannot solve the basic problems that create these social calamities. However, it can provide some basis of security for the children who are the innocent victims of broken homes and can be an instrument through which some of the damage can be repaired and families reunited or placed upon a sounder footing so that they can regain independence and self-direction.

While in some instances the public assistance program has been indicted as causing or contributing to family dislocation, it cannot be properly charged with this responsibility. Rather the total community, including our schools, churches, social agencies, press, and all of the other social forces, must assume responsibility.

Deprivation of parental support or care is only one of the factors that makes families eligible for public aid. It is a technical eligibility factor separate from the fundamental one of need. Actual financial need must exist and deprivation of parental support in itself does not make any family or child eligible for A. N. C. assistance. In fact the great majority of these "absent father" families would be eligible for relief under the county general relief programs. Their inclusion in the A. N. C. program is a technical classification which is advantageous to the State in view of federal financial aid available as well as the better standard of care than is generally provided under the county general relief programs.

There has been considerable criticism of the 1949 legislation (Assembly Bill No. 40) because it removed the time limit of three years absence in determining eligibility for A. N. C. The elapsed period of absence of the father has little bearing in determining whether a family is in economic need. If the family is needy, it makes little difference whether the father has been absent one month, one year, or three years. Restrictions denying eligibility for A. N. C. assistance on the basis of the length

of time the father is absent will not solve the problem of providing for needy families.

The major problems presented are how to avoid collusion between parents for the purpose of securing public aid fraudulently and steps to be taken to make fathers (or mothers) assume and carry the responsibility for caring for their children. It is recognized that enforcement of parental obligations is a difficult thing, and particularly so when the parent who abandons completely breaks off all ties with the family. It is generally agreed that there should be penalties for the abandoning parent—although making these effective is another problem. However, in establishing penalties, they should not be visited upon the children by denying aid to the family because of the act of the parent, particularly in establishing fixed time limits for absences before economic need can be recognized.

A better understanding of the problems involved can be secured through review of a survey of absent father cases recently completed by the Social Welfare Department. A 30 percent random sample study was made of all absent father cases where absence was less than one year prior to application and in which A. N. C. applications were approved in the three-month period December, 1949, to February, 1950. The total cases in the sample was 494. Total approved A. N. C. applications involving fathers absent for less than one year during the three-months period was 1,645, representing 16 7 percent of all A. N C. applications approved during that period.

This survey covered only those families in which the fathers had been absent less than one year prior to application for aid. This is a particularly important group since proposals are being made for establishment of period of six months or one year as arbitrary requirements before eligibility for A. N. C. can be considered

The survey was conducted by the staff of the Social Welfare Department who read the actual case records involved in each of the counties

Of this group of A. N C. families, it was found that 374 or 76 percent had received county general relief prior to being determined eligible for aid to needy children aid. One hundred seventy-three (173) of these families received general relief during the period their A. N. C. applications were being investigated. The other 201 were receiving general relief prior to making application for A. N. C., and for the following periods:

One month, or less	34
Two months	41
Three to six months	70
Six months to one year	56

Major sources of support of these families for the twelve months preceding absence of the father was shown as follows:

Earnings of father	251
Other income of father	8
Earnings of both parents	49
Earnings of mother	64
By relatives or friends	55
General relief	33
Unknown and other	34

These absent fathers were classified in terms of the circumstances in the absence, as follows:

	Number	*Percent*
Unmarried parents	123	25
Desertion by father	132	27
Separation	107	21
Divorce	70	14
Penal institution	62	13

Of the cases in which the length of absence was recorded in the case record, 63 percent had been absent less than three months prior to application. The breakdown of the 451 cases where length of absence was recorded was:

Under three months	284
Three to six months	79
Six months to one year	88

Most of these families were border-line economically and when the father deserted there was little available to tide the family over.

Regulations of the state department provide that continued absence of the parent from the home implies a clear disassociation of one or both parents from the normal family relationships. These absences are classified as follows:

1. Divorced and living apart;
2. Separated—legally or by bona fide agreement;
3. One or both parents deserted;
4. Marriage annulled;
5. Parents not married and not maintaining home together;
6. Parent confined to a penal or correctional institution.

The responsibility is placed upon the county welfare department to determine that there is actually continued absence of the parent.

Persons conducting the case review determined that 373 of the cases (exclusive of fathers in penal institutions) involved clear-cut disassociation of the parent, that 26 were not clear-cut and that 34 were questionable. Thus, they raised questions as to effectiveness of the county welfare departments in determining continued absence of approximately 14 percent of the cases involved in the study.

Since it is expected that action will be taken to determine the whereabouts of the absent parent and to secure support of the family, it is important to examine data from the study on these points. Almost 50 percent of the absent parents involved were in the State. Less than 20 percent were making any contributions to the families.

Whereabouts of absent parent		*Contributions of parent*	
Unknown	192	None	390
Community	122	Own initiative	39
County	66	Court order	38
State	57	County request	12
Out of state	57	Other	4
		Unknown	11

Seventy of the families included in the study were receiving A. N. C because of absence of the father due to divorce. In divorce cases support of the family is considered by the court. Yet only 38 fathers were contributing on the basis of court orders. Presumably inadequate provision

for support was made by the courts or the courts were unable to enforce their own orders of support.

In about twenty-four percent (24%) of the cases, the mother had taken legal action against the absent father. While only 93 of the fathers were known to be contributing, legal action had been taken in 204 of the cases:

No legal action taken	264
By mother, before application	113
By mother, after application	6
By county, before application	53
By county, after application	28
Other legal action	4
Unknown	26

One thousand forty-four children were involved in these 494 cases of absent fathers and the total persons considered in determining the assistance grants, including mothers, was 1,649. The average need per family was determined as $116 22 as of May, 1950, although the average grant paid was $108.82; the difference representing other income available to these families.

The records show that in 434 of the 494 cases the families had no cash or securities at time of application. Forty families had less than $100; 10 between $100 and $200; nine from $200 to $300; and one family had $526 in cash resources.

Typical of the unstable basis upon which many of these families were founded are the following comments relative to absence of the father as recorded in a small random sample of the schedules from two of the largest counties:

1. Forced marriage—never established home together—whereabouts of father unknown.
2. Father jailed, divorce secured. Partial support of family by mother.
3. Father returned to legal wife after separation and unable to contribute to illegitimate child as unemployed.
4. Father accustomed to desert family, not interested in children.
5. Long history of marital discord. Father unstable, alcoholic.
6. Irregular support by husband (15 jobs in 3 years). Spends money on self only. Separation forced by wife.
7. Father went to Nevada to seek work, unheard of since—alcoholic.
8. Father's identity unknown.
9. Never lived together—fathers whereabouts unknown.
10. Father in state prison.
11. Father disappeared in June, 1949, when learning of pregnancy of mother.
12. Whereabouts of father unknown. Children removed by police department from "unfit home."
13. Father disappeared—embezzlement from employer.
14. Unmarried parents, whereabouts of father unknown.
15. Alcoholic history—nonsupport—unhappy home. Father sought reconciliation, then left home. Father immature.
16. Common-law marriage. Father arrested for wife beating. Father unemployed, seeking reconciliation.

It is noted that in approximately 15 percent of the cases, the family relationship is classified as "casual." One hundred twenty-three absences of unmarried parents were reported with 72 classified as "casual." This latter figure represents those cases in which the father and mother did not maintain a home and a child was born out of wedlock. The remainder of the unmarried cases would be considered as common law relationships in which the parents did live together.

There has been some criticism of aid to these unmarried mothers and their children on the basis that the State is encouraging immorality and illegitimacy. Of course, children have been born out of wedlock for a long time, and long before modern public welfare programs were established. This represents a social problem that cannot be charged to the public welfare program. However, the A. N. C. program does provide positive protection to the mother, the child, and the State, through providing assistance to this group.

The committee received testimony from representatives of organizations primarily concerned with the problems of these unmarried mothers, including those of the Catholic Church and the Salvation Army. These representatives emphasized the social and economic values of aid to this group of mothers and made the particular point that such aid does not contribute to immorality.

Actually the basic problem presented by these situations is through securing recognition of responsibility by the father. Punishment of the mother and the child through denial of assistance or removal of the child from the mother can serve no useful social purpose, and most certainly will offer no solution to the basic problems involved.

Breakup of the family does not appear to have any close relationships to the length of the marital union and occurs in long-time marriages as well as in those of short duration, as indicated by the following table showing the length of the marital union prior to the current absence of the husband:

Unknown	12	3 to 4 years	46
Casual	72	4 to 5 years	31
Under 1 year	25	5 to 10 years	100
1 to 2 years	35	10 years and over	130
2 to 3 years	43		

Neither does state residence appear to be a particular factor in this situation as indicated by the following record of state residence of the absent fathers in the 494 cases surveyed:

None	2	5 to 10 years	104
Under 1 year	1	10 to 20 years	65
1 to 2 years	9	20 years and over	79
2 to 3 years	18	Unknown	181
3 to 5 years	35		

These cases studied, while limited to applications for A. N. C. approved during the three-month period from families in which the father had been absent one year or less, may be considered typical of all absent father cases on the A. N. C. rolls. Many of those covered in the survey are probably no longer on the assistance rolls as the persons evaluating these cases considered 114 or 23 percent of them to be short-time

assistance cases. Others have been added since the survey was made, since divorces, separations, and desertions are constantly occurring and resulting in economic hardship for families.

In testimony before the committee in September, 1950, the State Director of Social Welfare estimated that the duration of absence of these fathers was as follows:

Less than six months	20%
Six months to one year	12%
One year to three years	30%
Over three years	38%

A survey made by the Los Angeles County Department of Charities covering 9,565 A. N. C. cases active in August, 1950, and in which applications were accepted on and after September 1, 1949, shows the following primary causes of dependency:

Deserting fathers	975—10%
Absent parent (death, incarceration, deportation, divorce, separation)	2,409—25%
Incapacitation of parent	1,197—12%
Unmarried mother	723— 8%
Cessation of employment	1,282—13%
Caretaker need in the home	610— 7%
Insufficient income	2,369—25%

In its report of this survey, the county makes the following statements concerning the deserting fathers:

"Many statements have been made to the effect that the 'deserting father' is the primary cause of dependency in the increased case load in A. N. C. A careful study of all cases added since the new law, proves this is not the case and that other reasons are the cause of most applications for assistance.

"A careful analysis of the above mentioned percentages, brings to light the fact that only 7 percent of the total number of cases opened since September 1, 1949, could be clearly called desertion cases, which desertion had taken place in less than a three-year period. Of this group, two types of desertions undoubtedly occur: (1) representing the far greater number, were bona fide completed desertions at the time they occurred with no expectation of a return and subject to proof of this condition; (2) a very small group, infinitesimal in fact, comprised desertions that could be properly classed as collusion cases.

"To change a good law on a showing as meager as this would, in the opinion of the officials of the County of Los Angeles, represent very discriminatory legislation.

"Further evaluating the time the deserting fathers have been absent, establishes that most of them have been absent for more than three years. Proposals will be made to you to reduce the waiting period to six months. Should this be done, it will be meaningless. Such arguments can only be considered as 'The tail wagging the dog'."

The purpose of the A. N. C. program is to meet situations in which there is family breakdown in order that the children may be adequately provided for and have an opportunity for education and social participation so that they may grow into responsible adulthood. Its purpose is also

to preserve and strengthen family life by enabling the mother to care for her children and providing a basic minimum security for the family. It can be and is used in reuniting families, both through its economic aid and the social services that must necessarily accompany financial assistance for effective administration of the program.

However, the problems presented by desertion of the father, and to some extent by divorce and separation, can be minimized, thus reducing the costs of the A. N. C. program and providing a sounder basis of protection for the families and serving the social purpose of maintaining family responsibility.

A three-way attack on this problem is necessary. More preventive work is possible so that family breakdowns may be avoided. Legal machinery needs to be strengthened so that parental responsibilities may be better enforced for the protection of society as a whole. Improved administration of the public assistance program can, in particular, minimize the problems that are involved.

(a) Community Responsibilities for Prevention

Basically, the total community must bear responsibility for the greater proportion of family breakdowns. Much of the family discord, problems of immaturity and irresponsibility of individuals, etc., are products of our total society. The "mistakes" that result in unstable marriages, illegitimacy, immorality, and irresponsibility are largely the product of their environments. These problems need to be approached through education, religion, law enforcement, and social agencies and other community organizations, and by individual members of the community in their role as parents

Where families are on an unstable foundation, skilled social services rendered in the early stages and before the breakdown of the family may save the situation and strengthen the family. Early detection of such situations and providing necessary services, particularly through private social agencies, makes for prevention of dependency through family breakdown.

(b) Legal Action

While there is clear legal responsibility of the father, there are a number of problems involved in enforcement and application of the law.

It has been repeatedly brought to the attention of the committee that the district attorneys are reluctant to act on absent father cases referred to them by the social welfare agencies This lack of enforcement makes the present law meaningless and results in the State assuming a burden of care that certain financially able parents should carry.

Where fathers cross state lines, there is no compulsion that can be brought to bear to make them assume responsibility for their children This can be corrected to some extent by enactment of a uniform support law similar to those passed by many other states and providing for reciprocal action with other states in controlling this problem.

In situations of divorce, courts needs to give careful attention not only to making adequate provisions for support of families but for enforcing such support orders The enforcement of these orders is a primary responsibility of the courts Assistance is being granted to many families

because the parent under court order is defaulting on his payments. The solution is not to reduce or terminate assistance, thus inflicting hardship on the family, but to secure enforcement of the court order or its modification if its terms cannot be carried out.

Provisions of the present aid to needy children law should be continued without establishment of arbitrary restrictions as to length of absence of the parent. Assistance to these families should be based upon current economic need without distinction as to how long the parent may have been absent.

(c) Administrative Action

The primary function of the administrative agencies should be in accurate determination of economic need; eliminating situations in which there may be attempted fraud or collusion between parents; in locating absent parents and securing initiation of voluntary or legal actions to have them assume responsibility where able; and through providing social services to the families receiving assistance as a basis of helping them to overcome the problems of dependency and become self-sufficient.

There is criticism of the administration of this program, some of it valid. The State Social Welfare Board has the basic responsibility for establishing the policies and the counties for implementing those policies. Improvement at both levels in what is a difficult administrative relationship is indicated.

State regulations concerning the absent father are rather general and leave to the counties the primary responsibility for administration of this aspect of the program, with little specific guidance from the State as to how this administrative responsibility shall be carried out.

State regulations provide that in determining deprivation of parental support or care, "legal action against an absent parent or action to locate an absent parent or to establish paternity of a child of unmarried parents is not required," on the basis that such actions "might result in permanent severance of family relationships" rather than to strengthen family ties.

Emphasis is of course on protection of the child. This in many situations is thoroughly justified. However, the determination of when not to take action to locate an absent parent, to establish paternity, or to take legal action requires a high degree of judgment and careful analysis of the prospective injury to family relationships or to the child and should be used with extreme caution, particularly in a situation where state funds are being used for support of the child because of a default of parental obligations.

The policy—or its affect in application—may be somewhat modified by other regulations providing that the county make referral to the proper legal agency for obtaining financial support from the absent parent "unless the county determines that such action would be unproductive or would jeopardize the welfare of the child." This leaves the determination in the hands of the county with little guidance from the state agency as to application of its policy by definition of what is considered action that would jeopardize the welfare of the child.

It is optional with the counties as to how aggressive they will be in enforcing support of putative fathers. Such action is not necessary where the county determines that such efforts would be contrary to the best interest of the families or children involved, including those of the putative father other than involved in the assistance case.

In some quarters there has been considerable criticism of the state board implying that it is at fault for existence of loose administration of the A. N. C. program. At the same time it is criticized by these same parties for interfering in the administrative prerogatives of the counties. Actually the State is at fault for not sufficiently supervising the administration of the program at the county level, and for not establishing more specific regulations for the purpose of handling the absent father situations.

Basic administrative responsibility has been left in the hands of the counties. Most of the administrative weaknesses must then be the responsibility of the individual counties. If there is fraud and collusion, the correction of this condition is a primary responsibility of the individual county welfare departments.

It was noted in the survey schedules covering the sample of absent father cases that in many instances the information recorded in the record by the county workers was inadequate for determination as to the alleged desertion or its causes and in some instances showed little or no effort to contact the absent fathers. In several instances there was information in the record placing doubt as to whether the father was actually out of the home or whether there was desertion in fact but with little evidence of follow-up investigation.

A primary problem in administration is lack of sufficient staff to maintain contact with A. N. C. families in many of the counties. Even with sufficient staff it will not be possible to detect all situations of collusion; however, they can be kept at an absolute minimum. But in situations where case workers are responsible for over 100 A. N. C. families, and in some instances as many as 145 cases, it is physically impossible for the workers to maintain frequent enough contact with the families or to provide corollary services that might correct the basic causes of dependency.

If the A. N. C. program, and particularly the difficult absent father cases, is to be effectively and economically administered it is necessary that sufficient staff with adequate training be available in each of the counties and that sound administrative planning be carried out. In some instances, particularly where there are questions as to the actual absence of the father from the home, or his ability to contribute to the family, frequent contact by the case worker is essential This can be accomplished through good work planning and supervision, provided a reasonable total case load is assigned to the worker.

There is no easy or complete answer to this absent father problem, particularly for those cases involving desertion. However, the problem can be minimized considerably by more effective administration. Under the present delegation of responsibilities for administration, the primary problem is to effectuate better management and administrative method at the county level.

2. The Unborn Child

State regulations define "child" as including "the unborn child if pregnancy has been verified by a physician's oral or written statement." This apparently has caused criticism in certain quarters, although it has been standard practice throughout the country and is recognized in regulations covering federal participation in the aid to needy children program.

In terms of numbers, this is an extremely minor factor in the A. N. C. program. A survey as of August 1, 1950, conducted by the state department through the county welfare departments revealed only 468 such cases. In 253 of these the mother had other children so would have qualified for A. N. C. on the basis of these children rather than the unborn child.

Costwise, this is also a very minor factor. Actually, the basic assistance grant provided is for the mother. Some additional allowance may be made for food because of a pregnancy diet recommended by a physician. The county welfare departments are authorized to provide funds for a layette for the unborn child and such necessary furniture as a crib.

The average grant in August, 1950, for the pregnant mother without other children was $61.90 and for the mother with other children $108.12 which cost figures are consistent with grants to other families.

There is, of course, a real financial advantage to the counties in having these cases classified under the A. N. C. program since the needy mother would generally be eligible for general relief assistance if this were not the case By classifying them under the A. N. C. program, federal funds are available on behalf of the unborn child, and the state participates in the cost of providing assistance to these needy mothers.

There are positive social values in providing for these mothers under the A. N. C. program Where the father dies, is incapacitated, or deserts the mother faced with the problem of pregnancy as well as loss of income from the father is assisted and relieved of anxieties attendant to the loss of income when she herself could not support herself and family. For the unmarried mother, the provision of this assistance relieves the considerable pressures as to arrangements for the disposal or adoption of the baby, helps her in adjusting to the problem of unmarried motherhood and her future responsibilities, and assures that she will have an adequate diet and care.

This is a minor aspect of the A. N. C. program and one that does have very positive values. This provision for assistance under the A. N. C program has been strongly supported by church groups and social agencies concerned with the problem of unmarried mothers and illegitimate children These agencies believe that protection is best provided through the A. N. C. program because of the residence requirements and other restrictions under the general relief program that would discriminate against many of these mothers at the time of their most urgent need.

3. Stepfathers

One of the factors for determining whether a needy child may receive assistance under the aid to needy children category is the deprivation of parental support or care. The word "parent" has been determined to mean "either the mother or the father, natural or adoptive, whether married or unmarried."

The presence of a stepfather in the home does not disqualify the child as being "deprived of parental support or care." Until October 1, 1950, where a stepmother was in the home the child was considered deprived of parental support or care. However, by state regulation this was terminated and where the natural father and a stepmother are in the home the children are no longer considered deprived of parental support or care.

Stepparents have no legal responsibility for the support of the stepchildren even though able to do so. State regulations state: "However, inclusion of the stepfather in the county's planning with the family may increase his interest in giving needed care and guidance to his stepchild. He may also, voluntarily, provide partial support if he is able." The stepfather is responsible for support of the mother even though he may be unwilling or unable to contribute to the financial support of the stepchildren.

The unwillingness of some financially able stepfathers to support their stepchildren has given rise to considerable criticism of the A. N. C. program. In such instances public aid may be granted on behalf of the stepchildren even though the stepfather has sufficient income for support of the entire family.

Approximately 8 percent of the total A. N. C. families involve a stepfather. A study conducted by the State Department of Social Welfare as of August, 1950, covering a 10 percent sample of all stepfather cases indicated that about eighty-one percent (81%) of these stepfathers are employed. Ten percent (10%) were classified as unemployed and nine percent (9%) as unemployable.

If the stepfather was considered to have the same status as the natural father, over ninety percent (90%) of these families would have been technically ineligible under the A. N. C. program. However, the study shows that the great majority of these families were determined to be in financial need. The extent to which such need would have been alleviated under the county general relief programs cannot be determined because of the great variation in eligibility requirements in those programs.

Review of the schedules completed by the county social workers in conduct of the survey reveals that in most instances the payments to children in these families was considerably below the average payment to other A. N. C. families and that in the great majority of situations the case worker did not believe that the stepfather could increase his help to the stepchildren.

In practically all cases the stepfather was providing at least partial support in the form of housing and utilities to the dependent children eligible under the A. N. C. program. In many instances these stepfathers were making additional contributions to these children.

Data reported in the survey showed that the employed stepfathers were generally in a low income class, had irregular earnings, or were faced with the problem of supporting very large families on small incomes.

A review of the schedules submitted by Los Angeles County showed that in the opinion of the social workers eleven percent (11%) of these employed stepfathers could increase their support of the stepchildren. In a few instances it was reported that the stepfathers had refused such support even though they were financially able.

It is obvious from a review of the data available that only a small percentage of these stepfathers have deliberately refused to provide for their stepchildren. It appears that in some other situations income was such that the stepfather might have provided for the total family if A. N. C. assistance had not been available. However, the extent to which such would be possible could not be determined conclusively from the survey schedules and in most of these instances the case workers indicated that additional support by the stepfather was not possible. But the level of earnings and size of family in many of these cases were such as to raise doubt as to the evaluation of the worker if A. N. C. aid had not been available.

While in the great majority of the stepfather cases the evidence indicates inability to fully support the stepchildren, there is a sufficient volume of cases in which an increase in support by the stepfather should be possible to warrant special attention to this situation. A few cases might be cited in which the stepfather has fallen back on his legal lack of responsibility and has flatly refused to support.

It appears that administratively a greater volume of support by stepfathers should be possible. The language of the state department regulations concerning this is somewhat negative. This seems reflected in a number of the survey schedules on which the case workers noted that no determination of the ability of the stepfather to support had been made.

A positive policy providing that in all stepfather cases specific efforts be made by the county welfare departments to secure support by the stepfather should, if fully implemented, decrease the number of these A. N. C. cases. Even though such parents may not be legally responsible, many stepparents do assume full responsibility for their families. A positive approach by the county case workers, through contact and discussion with the stepfather and encouragement to him to assume his full moral responsibilities where he is financially able to do so might alleviate this problem to some extent.

However, there would still exist cases in which stepparents would use their lack of responsibility under the Civil Code and the technical eligibility requirements of the A. N. C. law to avoid their moral responsibilities. This is a loop-hole which should be plugged even though it may involve only a relatively small number of families. In determining whether aid is to be given, and the amount of such aid, the resources of the entire family and not legal status of the individual members should be considered and utilized insofar as is possible.

E. STANDARDS OF ASSISTANCE AND CASE COSTS

Assistance standards represent the determination of what should be the minimum level of living for a family in terms of its ability to obtain the basic essentials. It directly influences the number of cases eligible for assistance as well as the costs per case aided.

In determination of need, the assistance standard is the basic measure. When applied to a given family, it represents what is considered to be the minimum income requirements for family maintenance. If the

actual income and resources of the family do not equal the total requirements as set forth in the standards, the family is determined to be in need.

The actual amount of assistance granted the family is based upon the standards so that cost per case is a direct reflection of the application of the cost standards less deductions made because of family resources. The actual payment is thus determined primarily on the basis of the standard that has been accepted by the Social Welfare Department as representing a minimum adequate level of living.

The State Social Welfare Department is responsible in law for determining "minimum standards of adequate care" and these standards are binding upon the counties. (Section 1511, Welfare and Institutions Code.) The department has carried out this responsibility insofar as basic consumption items commonly needed are concerned. It has generally defined items of special need which may be required by certain families due to unusual requirements, but has left it to the counties to make specific determination of when these items should be furnished and the establishment of cost controls over such special items.

The responsibility of the state department is limited, however, by other provisions of law which establish maximums for appropriations and the State share in costs. Thus the law establishes a ceiling on state participation equivalent to $48 for the first child and $24 for each additional child. Section 1511 of the code provides that "there shall be paid the sum of seventy-two dollars ($72) per month, or so much thereof as is necessary for the adequate care of the child, or if there is more than one such needy child in the same home, the sum of seventy-two dollars ($72) for one such needy child and thirty-six dollars ($36) for each of the other needy children." However the law expressly provides that the counties may in their discretion exceed the maximum from county funds

In effect there is a ceiling on payments equivalent to the amounts listed in Section 1511 of the code, plus the federal financial participation in these cases under the federal aid to dependent children program, which may however be exceeded at the option of the individual counties.

1. The Standards in Effect

Standards established by the state department represent the evaluation of a great many persons based upon long study of the actual minimum living requirements of individuals and families. They have been based upon determination of what consumption items are needed by all persons, the content of each of these items in terms of individual elements that need be provided, with pricing of items conducted periodically.

Schedules have been established which represent the prices of these items in 11 regional areas of the States. These schedules are mandatory upon the counties which are required to establish the budgets for individual recipient families on the basis of costs represented by the schedules.

A uniform schedule of allowances is established for the so-called basic items, related to varying needs of individual members of the family based on age, sex, and other characteristics.

a. Schedule of Basic Items

This schedule establishes the cost of providing for food, clothing, personal needs, recreation, housing, utilities, household operation, and education and incidentals for each member of the family.

(1) Food Cost schedules are based upon actual pricing of food items selected because of their nutritional qualities and availability to provide a balanced diet. The items and quantities of each upon which the schedule is based were selected upon advice of home economists of the University of California and other specialists as conforming to California consumption patterns rather than the national food plan issued by the U. S. Department of Agriculture.

Separate schedules are provided to meet the varying needs of different age and sex groups, and cost schedules are applied to the families in terms of their composition. Thus two families of equal size might be given different allowances for food based upon the needs of the individual members.

The schedule is uniform for individuals of the same sex and age in all family groups except that a ten percent (10%) additional allowance is made for the families with one or two persons.

(2) Clothing. Cost schedules are based upon lists of clothing requirements to cover replacements for various classes of persons in the family. They are adjusted in terms of the items considered necessary for climatic differences in various areas of the State. They are based upon determination of what clothing items are required and their durability in years. The annual replacement cost is calculated on the basis of durability and this is reflected in the monthly allowance to permit purchase of necessary clothing. Items selected are of relatively low cost such as for an employed man, an overcoat with a unit price of $25.13 and shoes of $4.84, or a coat for an older girl at $15 20 intended to last two years.

(3) Personal Needs. These allowances, provided in varying amounts depending upon the age and sex of the family members, are to cover soap, toothbrushes, shaving supplies, medicine chest supplies, etc.

(4) Recreation. A nominal amount ranging from $2 for adults and older children to 50 cents for younger children is provided for, the cost schedule being applied for each member in the family.

(5) Housing. Allowances for housing are based on the actual amount paid subject to a ceiling which varies between counties in relation to the actual rents paid. The ceiling represents the rental covering 90 percent of the cases in the county. This is a variable item, ranging from zero due to free rent up to the ceiling and in many instances above the ceiling on the basis of county determination of special need for an allowance above the limit established in state policy.

Where recipients own or are purchasing their own home, monthly amounts are allowed to cover the average cost of taxes, fire insurance, upkeep and minor repairs, plus the amount to cover interest and principal payments where the house is being purchased. These payments are limited to the rent ceiling established for the county but may be exceeded upon finding of special neeed by the county department

(6) Utilities. Allowances have been established for various types of utilities based on costs in individual counties. The cost schedule is set up on the basis of the number of persons in the family, allowances varying as the number of individuals requires.

(7) Household Operation. Cost schedules are based upon a determination of monthly replacement costs for such items as linens, cleaning supplies, emergency medical incidentals, and general household articles. The actual family allowance is dependent upon the number of persons in the family.

(8) Education and Incidentals. A specific cost schedule for monthly allowances based upon the number of persons in the family is established to cover incidental items. These also vary between counties with a basic amount established for one person and the amount for the family increased by 25 cents per person.

In addition to the basic items for which fixed costs schedules are established, allowances may be made where the following "special need" items on determination by the county of necessity

Food: For special diets as recommended by physician.

Clothing: Cost of initially outfitting family, if needed and clothing for a child's first year.

Housing: Rents paid in excess of ceilings if it is determined other suitable housing is not available, or special health or social problems necessitate better housing. Cost of major repairs ($10 or more) if necessary to minimize deterioration and maintain safe, healthful housing; or payments on home in excess of the rent ceiling if factors above-noted are considered to exist.

Utilities: Amounts in excess of ceilings, on an as paid basis, where a utility is used for several purposes; illness requires; inefficient equipment requires; or utility rates are higher than other portions of county.

Household Operation: In excess of fixed amount where initial supplies are necessary.

Telephone: If the county finds the service necessary to the family welfare.

Transportation: Amount deemed necessary by county.

Insurance: Where insurance policies are carried on children or parents, actual amount of premiums up to a total of $4 a month for the family.

Medical and Dental Care: Upon determination by a physician or dentist unless care needed is available without cost.

Debts: Payments on obligations incurred prior to application for A. N. C. if required to maintain an item of current necessity.

Major Replacements and Repairs: If needed for the continued well-being of the family.

Special Needs: Based on county decision. Such as laundry service, homemaker service, tuition to trade schools, etc.

Illustrative of the actual cost standards in effect (March, 1950) and showing differences in prices for various areas of the State is the following

summary of application of the cost schedule to a family of four (Mother, boy 14 yrs., girl 11 yrs., boy 7 yrs.):

Food, clothing, personal needs, recreation	*San Diego*	*Los Angeles*	*San Francisco*	*Sacramento*
Mother	$27.04	$27.46	$28.55	$28.85
Boy 14	29.49	29.74	31.53	31.65
Girl 11	23.95	24.12	25.19	25.56
Boy 7	21.04	20.77	21.90	21.95
Subtotal, individual items	$101.67	$101.94	$107.17	$108.01
Household operation and utilities	15.04	14.89	16.53	19.57
Rent (at ceiling)	40.00	45.00	45.00	50.00
Total of basic items	$156.71	$161.83	$168.70	$177.58

The same quantity and quality of each of the items is provided for all budgets. However differences in prices account for variation in total allowances between areas.

These figures do not represent actual payment to families, or even to families with the above composition. For example, the majority of families in Sacramento are paying rents between $19 and $39 a month, although the ceiling figure is $50. Many families have free rent and thus are not given an allowance for rent. Or other items may be furnished from other sources and thus not provided for in the actual payment.

These figures do represent the total requirements, for a family of the composition given, which the Social Welfare Department believes will provide minimum adequate living. Actual payments would be based on the standards but reduced by the amount of rent below the ceiling, provision of items from other sources, or by income or other cash resources available for use by the family.

b. Appropriateness of Standard

There has been some criticism that the standards under the A. N. C. program are too high and provide more than is necessary to many of these families. Whether or not assistance standards are considered high, proper, or low may be dependent upon the point of view of the person evaluating them.

These standards are the product of many years study and evaluation by experts in nutrition and home economics. They are widely accepted and used, not only in the social welfare program but by other agencies of government and by many private social agencies.

The committee does not feel that it is in a position to make a detailed evaluation of the standards, and such would require considerable study and assistance of persons expert in this field. Such a study would necessarily include analysis of the effects of lower standards, and particularly so for diet, on the health and well being of the children and their parents.

An item by item review of the actual standards does not provide a basis for questioning the appropriateness of the standards. There are, however, a number of observations that may be made in relation to them.

Food standards are the greatest single cost item in the total. It has been suggested to the committee that adoption of the "Moderate Cost

Food Plan" issued by the U. S. Department of Agriculture would reduce these costs by eleven percent (11%) over the present cost schedule for food.

An emergency maintenance standard meeting nationally recommended dietary allowances can be established at lower cost than the food schedule used in the A. N. C. program. However, this diet would allow considerably less choice and might not have the acceptability and palatability desired. It is contended by home economists that families cannot continue on this type of diet schedule for long periods without impairment of their health.

Adjustment of the food schedule, and lowering the costs through variation of the items upon which the schedule is based, would need careful study, particularly in relation to possible long-term affects on health of the families. Such a schedule might be appropriate for short-term assistance families, including a large portion of the families commonly known under the general relief program.

Large-sized families are frequently considered able to purchase food items more economically than smaller ones and on that basis there is often suggested that the allowances for food for these families be scaled down on a percentage basis. The Heller Committee budget report of September, 1949, contends that it is not valid to make such reductions and claims that the result achieved is in inadequate diets. It concluded that a family of from 6 to 10 persons would achieve a total savings of only three-tenths of 1 percent due to purchase of food in larger quantities.

Suggestions have also been made for establishment of different cost standards for various racial groups on the basis that diet patterns of some of these groups enable them to get along with less money for food. This has not been substantiated and the opinion of home economists who have studied this matter is that there is actually little difference in cost of food because of varying racial diet patterns.

Clothing allowance for a San Francisco family of four (mother, boy 14, girl 11, boy 11) would be $21.71 a month. It is intended to provide for the minimum needs in low-priced clothing for the family. While this allowance appears to be a reasonable minimum, it may be possible to achieve reduction in cost.

Under the present A. N. C. program there is a substantial portion of relatively short-term cases. These families may already be supplied with the more expensive clothing items, such as outer garments, and might be able to get along adequately on a lower clothing allowance.

General support for the present standards of assistance is indicated by the fact that the county welfare departments found it desirable to supplement the payments provided in the limitations of the state formula in 7,825 A. N. C. cases in August, 1950. Average supplementation in all A. N. C. cases was $5.03 per case, and $34.49 in the cases which were supplemented.

Comparison of the standards applied to a family in which there are the husband and wife and two children (boy 13 and girl 8), using the Sacramento cost schedule for March, 1950, against the moderate cost budget developed by the U. S. Bureau of Labor Statistics for a San Francisco family of the same composition, indicates that the A. N. C. standard is not a liberal one.

If the Department of Labor moderate cost budget for a San Francisco family of four is adjusted to exclude taxes, life insurance, union dues, etc., which a welfare recipient would not be obligated for, the March, 1950, figure would be approximately $266. Using a rental figure of $35 a month, the A. N. C. basic budget (without special need items) would be approximately $176, or $90 a month less than the moderate cost budget.

3. Special Need Items

Little control over the determination of circumstances justifying the granting of special need items has been exercised by the State. Neither the state department nor the great majority of the counties have set up specific standards as to when such needs should be recognized or over the cost of the items that might be provided.

There is no information available as to the extent to which special needs are found to exist and particularly of the cost of these items.

Evidently practices vary widely between the counties as to when such needs will be recognized and as to control of costs

This is an area of administration that needs particular attention. If there is to be equitable treatment of people, uniform standards should be established to govern the determination of circumstances justifying allowances for special needs not covered in the basic budget. If cost control is to be exercised in the program, there need to be set definite limits on the amounts that may be included in budgets to cover special needs.

The more common special needs are recognized in state policy and the assistance standards provide a general statement concerning them. The state department has also issued a guide to the counties covering items of household equipment, but this is a guide only and need not be observed in practice. The State has actually left it to the counties to establish ther own standards, and very few of the counties have done so. This is evidence of poor administrative practice and lack of attention to cost control at both the state and county levels.

Absence of standards and of administrative control, and exercise of poor judgment in individual situations, has resulted in considerable community criticism. It is probable that most of the criticism of liberality of A. N C. payments can be traced directly to poor management by the county departments in controlling the authorization of funds for purchase of special need items. On the other hand, certain counties have apparently refused to recognize any special needs and are subject to criticism for failure to take into account the actual need of individual families.

Because the administrative agencies have paid little attention to this problem and have no reliable data on a state-wide basis as to actual practice and costs, it is impossible to accurately evaluate the extent to which special needs are being met or the part that these needs represent in the total costs of the program.

Indications from examination of 288 survey schedules out of a total of 494 covering absent father cases prepared in August, 1950, are that approximately $3.37 of the average payment per family cases is attributable to special needs. The average monthly cost of those cases having special needs was indicated as $15.17 from this limited sample.

The limited data available revealed great variations between counties in considering special needs, ranging from zero to forty-three (43%) percent of the cases reviewed. This indicates that some counties are too restrictive and fail to recognize the urgent special needs that exist and that others are too liberal in granting additional assistance for meeting such needs.

In 64 or 22 percent of the 288 cases, special needs were allowed. In order of frequency, the following types of items were considered on a special needs basis:

Rent in excess of ceiling in standards	22
Household appliances	11
Telephone	9
Furniture	8
Medical and dental care	8
Ice	6
Insurance (specific standard provided in state regulations)	4

Other types of items represented were layettes for babies; utilities in excess of state standards; child care; housekeeper services; laundry; and transportation.

In only a few of the schedules reviewed was there sufficient data to determine actual total cost of some items for which monthly payments were allowed in the assistance payments. However, these indicate the need for establishment of definite standards and cost controls.

Granting allowances for special need items are justified and recognition of such needs is necessary. However, there should be greater control over these allowances than now provided. As part of its responsibility to supervise the program and establish standards of assistance, the state department should develop specific policy instructions outlining the circumstances under which such items may be allowed and providing methods for controlling the cost of items in individual cases Discretion of the individual case worker as to when to make such allowances, and of the amount to be provided, should be limited insofar as is feasible.

Definite instructions as to circumstances justifying such grants, and establishing cost limits on them, have been established in other states and are a practicable and necessary control. They are needed to insure uniformity of treatment of persons as well as to control costs in individual situations. They should be accompanied by supervisory review and special approval in situations where relatively large sums of money may be involved.

This is part of good administration. It is also part of good administration to conduct necessary research to determine how such policies are being applied and the actual costs of meeting special needs not covered under the assistance standards for basic consumption items.

2. Cost per Case; or Average Payment

Average costs or payment per family represents the total cost of assistance divided by the number of families, or is more commonly stated as average cost per eligible child by dividing the total expenditure by the number of children in family cases. In using such average cost figures it must be recognized that these are averages and that the actual payments in individual cases show great variation.

The average payment reflects a number of factors:

1. The basic standard of assistance, or the determination made as to the adequacy of living to be permitted welfare recipients;

2. The extent to which resources are available to these families and accounted for in the determination of the actual payments;

3. Accuracy of the administrative agencies in applying the quantity-cost requirements schedules and deductions for income resources, resources in kind, etc., in arriving at the net need of the family;

4. Policies of the administrative agencies (counties) in granting special needs, including both the determination of the circumstances justifying allowances for special needs and the limitations placed on the value of such items to be provided;

5. Average size of families, which may vary from time to time, and vary between areas;

6. Policies of the administrative agencies (counties) in supplementing the maximum grants provided for in Section 1511 of the code.

There is considerable variation in practice among the counties in administration of the standards and determination of need. These are reflected to some extent in the variation in average payments between counties. However, even with absolute uniformity in administrative practice, variations between sections of the State would exist.

These variations under uniform administrative practice would result from differences in costs between various areas of the State as well as the variations in economic conditions affecting the resources that may be available to the families. Where employment conditions are particularly good, family members may have greater earnings to apply to total needs or relatives are better able to contribute partially to support.

a. Recent Trends in Costs

Average costs per family have shown a steady decrease since July, 1949. The average costs for September, 1950, do not reflect the increased costs of living since June of that year, and cost schedules being used were still based on March, 1950, living costs. Part of the change in average costs undoubtedly reflects stricter policies by the various county agencies in the supplementation of grants from county funds or in the providing of special needs items. As total costs increased because of the increase in the number of persons aided, some counties restricted participation from other county funds.

The trend in average costs is illustrated by the following table showing average payments per child; average per family; average per child in family cases; and the average per child in boarding homes and institutions:

	Dec., 1947	*July, 1948*	*Dec., 1948*	*July, 1949*	*Dec., 1949*	*Sept., 1950*
All eligible children	44.74	47.68	49.26	50.98	50.39	47.59
Families	105.57	109.94	111.53	112.97	115.37	107.95
Children in families only	44.77	47.88	49.20	50.78	50.20	47.16
Children in boarding homes and institutions	44.52	45.91	49.79	52.96	52.75	53.94

The average sized family in September, 1950, was approximately 3.4 persons. At an average payment of $107.95 per family, the average assistance per person in family cases was approximately $31.80 per month.

Grants to families vary with the number of individuals in the family unit since the assistance payments are based upon the total needs of the family which vary with the number of persons to be clothed, fed, and housed.

Comparison of the actual average payment made by various sized families as represented by the number of children eligible for A. N. C. assistance against the actual maximum grant that could be made under Section 1511 of the law shows that actual payments are considerably below the ceilings imposed in law. The figure for "maximum grant" represents the total amount that could be provided an individual family under the formula of $72 for the first child and $48 for succeeding children in the same family provided in Section 1511 of the code plus the federal funds available under the Social Security Act prior to October 1, 1950.

Statutory Maximum Grants and Average Grants by Numbers of Eligible Children in Families—August, 1950

Number of eligible children in family	*Total cases*	*Percent total*	*Maximum grant*	*Average grant August, 1950*	*County supplemented aid included in average grant*
Total	53,693	100	----	$109.53	$5.03
One	20,067	37.4	$88.50	76.39	9.27
Two	15,155	28.2	136.50	101.42	4.06
Three	9,169	17 1	184 50	128.32	2.06
Four	4,856	9.0	232.50	153.73	.56
Five	2,389	4.5	280.50	180 28	.23
Six	1,151	2.1	328.50	210 98	----
Seven	501	.9	376 50	236.70	.54
Eight	215	.4	424 50	221.56	----
Nine	128	.2	472.50	258.37	----
Ten	36	1	520.50	248.72	----
Eleven	26	1	586.50	280.11	----

The maximum grant possible was raised $16.50 as of October 1st because of modification of the federal matching formula permitting federal financial participation in the payments to the care-taker in addition to the eligible children.

It will be noted that the counties supplemented from other county funds the payments to many families because the ceiling imposed under Section 1511 of the code did not make it possible to meet determined need. This was particularly true in the families with one to three children. The increase in the federal funds available for matching payments to the caretaker would eliminate to a great extent this county supplementation since the maximum for participation was raised $16.50 through the additional federal money available October 1st.

In August the counties expended $269,907 of other county funds in 7,825 of these cases because they determined that needs of the families exceeded the maximums imposed under the code. Of this amount, approximately sixty-nine percent (69%) was for families in which there was only one eligible child and twenty-three percent (23%) where there were two such children. For the cases that were supplemented, $34.49 in county funds in addition to the normal county share as provided in Section 1511 of the code were expended per case.

b. Variation in Costs Between Counties

There is wide variation in costs per case between the counties. As is true of most other aspects of the A. N. C. program, there is little factual data available as a basis for analysis of these differences.

These variations may be the result of a number of factors. Differences in economic conditions, particularly differences in resources available to families; rental and utility cost variations; differences in the size of families; and policies concerning county supplementation will affect average payments.

So too will variations in administration between the counties have considerable bearing on costs such as the accuracy in application of the assistance standards; thoroughness of determining and accounting for resources of all types; and policies regarding granting of special needs;

These differences in average cost are illustrated by the following table in which the 12 major counties are ranked in order of the average number of eligible children in families, data being for August, 1950:

County	*Average children per family*	*Average payment per family*	*Average payment per eligible child*
Alameda	2.07	96.89	46.77
San Francisco	2.15	102 77	47.85
Los Angeles	2.16	112.97	52.26
San Diego	2.18	96.72	44.35
Contra Costa	2.24	102.51	45.76
State average	2.29	109.53	47 87
Santa Clara	2.38	118.94	49.89
Sacramento	2 39	108 18	45 21
Tulare	2.43	111.32	45 71
San Joaquin	2.47	106.13	44.13
San Bernardino	2.56	111.04	43.40
Kern	2.57	114 36	44.57
Fresno	2.60	119.75	45 16

The three counties of San Francisco, Los Angeles, and San Diego had approximately the same number of eligible children per family. There was a $16 difference in average payments between San Diego and Los Angeles. San Francisco with a considerably higher standard cost schedule than Los Angeles was paying on the average approximately $10 less per family.

Los Angeles paid out considerably more per child in supplemental county funds than either of the other counties, and San Francisco was particularly conservative in such expenditures. Thus some of this difference is reflected in the policy of the individual counties in meeting total need of families despite limitations of state participation in the grants. Some of the difference is undoubtedly determined by other administrative practices.

3. High Payment Cases

Cases in which families receive relatively high grants attract community attention and result in criticism of the program as well as proposals for the establishment of arbitrary restrictions on the size of payments.

In evaluating such cases it is necessary to take account of the fact that in some families there are many persons to feed, clothe, and house and that necessarily, if the needs of each of these family members are to be met. the payment will be relatively high.

It also must be recognized that the granting of special need items, particularly major items of considerable cost, will cause the payment for a family in a given month to be much higher than the normal assistance grant made to the family.

Large families (those with four or more children) represented 17.3 percent of the total families receiving A. N. C. assistance in August, 1950.

Distribution of Families by Number of Eligible Children
August, 1950

One child	37.4%
One and two children	65.6
One to three children	82 7
One to four children	91.7
Five children or more	8 3

In 3.4 percent of the total families there were from 7 to 11 children.

In August, 1950, 6.4 percent of the family payments were $200 or over. This compares with 7.4 percent of $200 or more in September, 1949.

Distribution of Payments per Family

	September, 1949	*August, 1950*
Under $100	46.0%	49.5%
$100 to $199	46.6	44 1
200 to 299	7.1	6 1
300 and over	.3	.3

Of the 109 families receiving payments of $300 or more in September, 1949 (0 3 percent total families) ninety percent (90%) were families in which there were six or more children. Provision of special need items by the county departments was illustrated for smaller-sized families.

Number of Cases in September, 1949, Receiving Payment of $300 or More, by Number of Eligible Children in Families

Children	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10 or more*
Cases	4	1	2	5	19	15	28	17	18

A special study conducted by the State Department of Social Welfare in August, 1950, covered a thirty percent (30%) sample of cases in which the total family needs were determined at $250 or more. These cases were selected on the basis of need, including special needs, and do not represent those in which the actual payment was $250 or more since in some of the families surveyed income deducted would bring the actual payment below the need figure.

There were 832 cases of the total case load of 53,693 families in which total need was reported at $250 or more. The thirty percent (30%) sample revealed the following facts concerning this group of families.

Average individuals in the family budget unit was 8 2 persons.
Average number of children per family was 6.6.
Average need in all cases was $285.52 per case.
This represented an average of $34.88 per person.
Actual payments averaged $263.44 per case or $32.18 per person.
Average special needs in these cases was $15.76.

Twenty-three percent of these families had other income which was deducted in determining the payment. This averaged $22.12 per family.

a. Ceilings on Payments

In recent months there has been discussion of the advisability of attempting to control costs of the A. N. C. program through establishing by law maximums to limit payments to individual families. Two types of ceilings on payments have been suggested:

1. An arbitrary limit on the amount of monthly assistance that could be paid in any case; or

2. A maximum on payments in individual cases related to community wage levels, such as through a determination of what the parent would be able to earn if employed.

Ceilings are now operative because of the limitations imposed in Section 1511 of the code on payments by the State and counties on behalf of individual children. However, the counties are authorized to exceed these ceilings by use of other county funds, and they have done so in a large proportion of the smaller member family cases.

(1) Fixed Limit on Payments. The major objection to establishment of arbitrary limits on payments is that they ignore the basic principle of meeting need. Either they do not recognize the greater needs because of variation in size of family, or do not permit meeting special needs in individual cases, which needs may be equally as important as the basic needs and especially so where health factors are involved.

They also discriminate between families in measuring total need. The family that is fortunate enough to have some income would be less affected by the ceiling and through the combination of income and assistance grants would be able to meet its total requirements whereas a family in similar circumstances but having no income might not be able to meet its total needs through a ceiling restriction on the assistance payment.

A danger involved in the establishment of maximums is that sometimes the maximum tends to become the minimum. This might be particularly true in California because of the philosophy of the old age security program. There might well be a tendency to permit recipients to retain income to meet special needs or to find special needs if the total need were below the maximum. If such occurred, the end result might be to raise costs of the program.

(2) Ceilings Based on Community Wage Rates or Earnings Capacity. Such ceilings would impose administrative problems of exceptional difficulty, and would not be necessarily valid in a needs program.

One of the major problems would be determination of the prevailing wage rates in each community, at least for unskilled labor classifications. Even though such were determined, establishment of a ceiling on the assistance payment equivalent to the community wage pattern would not have a direct relationship to need. This type of ceiling would penalize the larger sized families since wage rates are based upon the supply and demand of labor and not upon the economic requirements of the family.

It would seem almost impossible, and certainly subject to great inaccuracy, to attempt to make findings on the basis of what a person might earn if the person were employed. Many A. N. C. mothers have had no recent employment history or normal occupation other than housewife. Children who have never been in the labor market would

present a particular problem. The disabled father might have had good earning capacity before his incapacity, but who is to determine that in relation to his handicapped status?

Such a device would lead to widespread subjective determinations of what types of employment individuals might be able to engage in by persons with little or no experience or skill to qualify them to make such evaluations.

Ceilings are essentially a device for controlling over-all costs. If such is necessary, it is better to have all families share proportionately in whatever reduction is necessary because funds for adequate assistance are not available. This also is much simpler administratively and is the most equitable manner in which reductions in over-all costs can be made.

It is probable that much of the criticism leading to suggestions for ceilings is based upon a relatively few cases. The large family does present particular problems because of the total cost of providing basic maintenance for its members. Where families misuse the assistance payment, this is due to faulty management which can be corrected administratively. The use of poor judgment and evidence of faulty administration in relation to granting of special need items can also be controlled administratively.

The only sound basis for administration of assistance is to recognize the differences in need between families, either because of their size or because of existing special problems such as are provided for under the special need classifications.

The soundest way to control over-all costs is through good standards and good administration, including emphasis on accounting for the resources that families might have. If such methods cannot solve the problems posed by insufficient total funds to meet the minimum requirements of all persons, then a uniform reduction affecting all recipients is the most equitable and simplest method of reducing total cost to meet appropriation limitations.

4. Costs of Children in Boarding Homes and Institutions

In September, 1950, 8,481 A. N. C. children were in boarding homes and institutions at an average cost of $54.21 per child. Children in institutions and foster homes are not included in the federal aid to dependent children program and the total cost of their care is borne exclusively from state and local sources.

The maximum payment provided for in the A. N C. law for children in institutions is $36, divided by state, $24, and county, $12. Counties thus are required to provide substantial supplementation to meet the actual costs of institutional care.

Considerable variation in cost per child is illustrated by a comparison of costs for the larger counties of the State, costs per child in August, 1950, showing a range from $40.38 in the Los Angeles juvenile court to $65 78 in San Diego County

Children in Boarding Homes and Institutions
Average Cost per Child—August, 1950

County	*Average cost*
State average—$53	
Alameda	$55.55
Contra Costa	56.39
Fresno	45 04
Kern	43.63
Los Angeles	51.52
Los Angeles Juvenile Court	40.38
Sacramento	52 52
San Bernardino	44 21
San Diego	65.78
San Francisco Juvenile Court	62.31
San Joaquin	43 76
Santa Clara	53.13

Adjustment of the maximum payment is necessary to recognize actual cost of care of these children. This would relieve the counties of the burden of substantial supplementation in addition to their regular $12 share per child. It might be achieved through an appropriation of a fixed amount per child rather than on the present formula of $72 for the first child and $36 for succeeding children in a family which method does not fit the institutional care program.

State-wide data on the average payment per child for those in foster family groups and those in boarding homes is not available.

F. SPECIFIC ADMINISTRATIVE PROBLEMS

Similar to other phases of the A. N. C. program, there is too little information available as a basis for making a careful evaluation of administration at both the state and county levels. However, in the course of its inquiry into the program, the committee was able to identify a number of administrative problems needing solution and correction. Many of these are indicated in the discussion of determinations of eligibility and standards of assistance

It is obvious that the administrative processes would be particularly cumbersome in a program established on the basis of the A. N. C. one Division of responsibility between the counties and the State makes it exceedingly difficult, if not impossible, to establish accountability Financial arrangements between the federal-state-county governments involve extensive reporting processes to establish liabilities of each. Administrative independence of the counties from the state department has made it difficult to collect a body of data for research purposes, and even some elementary data such as on staffing and work loads at the county levels are not available at any central point. The present division of administrative responsibility is a costly arrangement However, it appears susceptible of simplification and improvement

1. State Supervision

As illustrated in previous discussion, state regulations are confined primarily to interpretation of law and the mechanical procedures for operation of the program. There has been insufficient supervision by the State of the actual administration of the program in the counties. Certain important areas have not yet been defined by the State, such as with respect to allowances for special needs or treatment of certain types of resources.

The state department has not conducted sufficient research into operations of the program at the county level and as a result does not have available basic materials for evaluating administration and determining the effectiveness of application of the policies that it formulates. It has little information on specific cost factors involved in the program. It knows generally that there is wide variation in administrative effectiveness among county departments but has not brought specific data together in form that can be acted upon to improve administration

The state department has demonstrated a reluctance to actively supervise the program. It has been constantly pressured by the counties and their resistance has resulted in a policy of establishing only a minimum of supervision and policy formulation at the state level. However, the state agency is responsible for expenditure of the greater share of funds and as such should assume a more active role in supervision of all phases of administration of the program.

2. Abuses: Mismanagement Cases

Because an assistance program deals with people, there will always be abuses. Some of these come to community attention and are exaggerated all out of proportion. They are a primary problem of administration and public relations. They represent a problem of community relations all out of proportion to the funds that might be involved

The great majority of persons are well able to manage their own affairs. Some are not Those on assistance are little different than others in the community except that their funds come from the State on a basis of their need.

Certain individuals are irresponsible and for various reasons cannot properly manage their affairs Where that person is the head of a family, this poor management may cause suffering to the children. The occasional welfare recipient who upon receipt of his check spends a portion of it at the local bar is depriving himself and his family of essentials of life. This is the type of situation that causes the greatest community criticism of the administration of public assistance.

Under federal regulations, to qualify for federal funds, the State must grant assistance in cash. It is not possible to control the expenditures of the recipients, as to just what he should buy and how much, and be eligible to secure federal money for that case.

Intelligent administration and community relations recognize the fact that it is sometimes better to forego the receipt of federal funds where it is demonstrated that an individual misuses public funds granted him. It also recognizes that the family must be protected against the irresponsibility of the payee.

In response to a request from the state department, the counties reported on so-called mismanagement cases receiving A. N. C. as of August, 1950. The 287 cases reported represented about one-half of 1 percent of the total case load. This is verification that the problem is a small one in terms of numbers of families involved. The schedules completed indicated considerable difference of opinion as to what constitutes mismanagement and many of them involved social problems in the family normally not considered in determining whether or not restrictions need to be placed on the form of assistance granted. However, it is probable that not all mismanagement cases were reported, particularly

since in most instances the reporting was based upon memory of case workers of specific cases in their loads and in not all situations would the mismanagement have come directly to the attention of the welfare agency.

Most of the cases reported involved situations such as these: assistance money was used for personal nonessentials; there was failure to pay grocery or rent bills, funds being used for other purposes; a portion of the assistance money was used for purchase of liquor; children were neglected and funds were not properly used for their maintenance; emotional problems of the parent made her irresponsible or unable to plan wisely in the use of funds; the mother was mentally retarded and unable to properly use assistance funds for the care of the family.

Since the commonly cited solution to this problem is to remove the family from the cash assistance rolls and to place them on an "in kind" payment basis with control over at least the major expenditures such as for food, shelter, and clothing, it is interesting to note the solutions suggested by the individual case workers dealing with the families involved to the problems presented.

In only a minority of situations did the case worker offer the "in kind" payment as the solution to the problem. The most common solution suggested was that more case work services be given these families to assist them with the basic problems involved, including more frequent contact with the families and providing to them services to help them in planning and managing.

Other solutions suggested indicated that the basic problem stemmed from emotional problems in the home or from instability or immaturity of the parents, such as: removal of the children from the home; psychiatric services to the mother; or institutionalizing the mother because of a mentally retarded condition.

Among other solutions offered instead of the "in kind" payment were better housing for the family, training for employment of various members; medical services for purposes of rehabilitation for employment; encouragement of the mother or older children to secure work; and services of home economists in assisting with budgetary planning.

It was indicated in some of the schedules that the major problem was insufficient staff or too rapid turnover of staff to provide the kind of services that these problem families needed. It was pointed out that workers carrying over 100 families cases did not have the time to work with the families that needed special services.

State policy, based upon an Attorney General's opinion, specifies that payments to recipients may not be restricted without exception. For the county offices to restrict payment, they must forego the receipt of state funds for that particular A. N. C. case.

This policy does not seem realistic or intelligent. There are very few cases involved, but it is important to the welfare of other members of the families involved and to confidence of the community in administration of the program, to control these situations.

It is recognized because of the complications of administration involved in the state-county relationship, and certain elements of mutual distrust in that relationship, that the State may be reluctant to give the counties a free hand in making unrestricted payments. However the State

has authority to set up minimum standards and should be able to define situations in which restricted payments are justified to avoid any abuse in administration.

These mismanagement cases offer a special type of problem, but differ considerably in the solutions that might be given. Many of these families will respond to good case work administration and through the services offered become able to satisfactorily manage their own affairs.

Others, because of acute emotional problems, alcoholism, basic irresponsibility, or for other reasons, can be given only limited help to manage their own affairs. In these situations consideration needs to be given to protection of the children from the irresponsibility of the parent as well as protection to the taxpayers in assuring that assistance funds are utilized for the purposes intended.

3. County Residence

A child born in the State or who otherwise has one year's physical presence or whose parents have resided in the State one year prior to application may be eligible for A. N. C. aid if meeting other eligibility requirements.

In addition, the law establishes certain county residence requirements which do not affect entitlement of the child for aid but relate to the distribution of the costs of such aid.

If a child does not have residence in any county at the time of application, but does have state residence, the State reimburses the county granting aid for the normal share of the county participation until the child does secure county residence.

If application is filed in a county other than the one in which the child does have residence, the State reimburses the county receiving the application and paying aid up to a maximum of 180 days. In the meantime arrangements are made for the county of residence to reimburse the other county for the amount of aid granted.

These requirements of county residence are administratively expensive. State residence is the primary factor in determining eligibility. However, because of the county residence features, the additional step of proving county residence is made.

Some delay in processing cases may be attributed to this necessity for determining county residence.

Where the recipient moves to another county and gains residence there, case transfer is necessary and usually involves complete duplication of the record. It has been reported that in some instances the counties make up extra copies of forms used in processing cases against the possibility that the case may later have to be transferred to another county.

A number of bookkeeping and financial transactions are involved, particularly where the State is required to reimburse the county for the full amount of aid granted because the child does not have residence in that particular county.

No data are available as to the volume of cases involved. However it is quite possible that transfers between counties would in the long run tend to balance out.

The elaborate and costly administrative processes for determining county residence have no bearing on whether or not the child shall be

granted aid. They serve only the purpose of charging costs against the State or other counties.

If an administrative analysis of costs of these procedures could be made, it probably would be found that the total costs of proving residence, of negotiating between counties, and of handling the financial transactions at the state level are a burden that could not be justified to the individual counties that might be most concerned. At any event, since the State pays two-thirds of the cost and the counties only one-third, elimination of this county residence requirement would not bear heavily on any individual county. However, it would simplify and speed up administration, and would enable savings in administrative costs.

Machinery for transfer of cases between counties would continue to be required. This can be established by administrative regulation, providing the criteria for determination of when the case should be transferred, and costs assumed by another county, based upon intent of the recipient to reside in that county.

4. Staffing

Availability of the proper numbers of staff with training and skill is extremely important in limiting the number of cases and in determination of the payment per case. Adequate expenditures for administration can net real savings in total costs. Most appropriating bodies are reluctant to increase funds for administration, failing to recognize the close relationship between good administration and lower costs in the over-all program.

Case workers in many counties are given a number of cases considerably in excess of what they can handle effectively. This overload results in poor initial investigation; in inability to maintain close enough contact with families; in inability to assist persons in developing resources to help themselves; and in failure to detect promptly changes in circumstances so that cases can be closed at the right time.

Inadequacies of staff reflect themselves in many ways, but it can be certain that assistance costs are higher than they need be because of this primary defect in administration. If a worker is assigned 100 to 145 A. N. C. cases, as is done in some areas, it is certain that the following will result:

The county case load will be higher than it need be because the workers do not have the time to thoroughly explore eligibility; cannot maintain contact with families to ascertain changing circumstances; do not determine resources available that might be utilized to reduce the assistance payments; do not close cases quickly enough; and cannot work with families to help them to help themselves to become self-sufficient.

Supervisors and workers in one county office, in informal discussion, indicated the following results of inadequate staffing:

1. They felt that there were some ineligible cases receiving assistance because of insufficient time of workers to follow through;

2. They were concerned that they were encouraging dependency because of inability to work with families;

3. They felt needs investigations were inadequate and did not cover the family circumstances thoroughly;

4. They knew that some cases were being carried beyond the time necessary because of inability to get around to make reinvestigations.

5. Reinvestigation and Follow-up on Cases

Wide variation between counties in the effectiveness of maintaining contact with assistance families is evidenced. This may be due to understaffing in some counties or to poor work planning.

The Federal Government and the state department have established a mandatory requirement that each case be reinvestigated at least once a year. This is a minimum requirement. The reinvestigation is for the purpose of reviewing eligibility and determination of the amount of assistance.

Data for August, 1950, showed that approximately four and one-half percent (4½%) of such annual eligibility reviews were overdue. This was not a substantial number for the State as a whole, however, in certain of the larger counties the proportion of overdue eligibility investigations was as high as twenty percent (20%).

Most families should be visited more than than once a year, and many should be visited quite frequently. However, this cannot be done unless adequate staffing is provided and there is good administrative direction so that selectivity in planning out of office time is carried out.

6. Delegation of Authority by Boards of Supervisors

State regulations (Manual Section 145) require that after a determination on an application has been made a "recommendation shall be made to the board of supervisors that assistance shall be granted or denied," including the amount and beginning date of assistance if the recommendation is for granting aid. These regulations (Manual Section 155) require that the boards of supervisors grant or deny applications at the first meeting for consideration subsequent to receipt of the recommendations.

The A. N. C. law does not refer specifically to the boards of supervisors, but to the counties. It would seem possible then for boards of supervisors to delegate authority to their county welfare departments to process applications, including the approval or denial of assistance, without necessity of referring all such cases to the board. However, since the law (Section 1550) requires that counties investigate all applications in the manner and on forms prescribed by the state department, the simplification of this process of disposing of applications requires a change in regulations of the state department.

Since boards of supervisors have direct administrative control and supervision over the county departments, and since the boards may establish county welfare boards to assist them in the administration of the assistance program, the formalities required by state regulations appear to be unnecessary and administratively inadvisable.

The requirement that lists of applications, with recommendations for action, go to the boards of supervisors may delay the actual determination of a case by as much as three weeks. Indications are that in most counties the boards can give only the most generalized scrutiny to such lists and that in most instances rarely question cases listed. In the meantime considerable administrative time and expense is involved and recipients who are in urgent need suffer through such delays or must be cared for through the issuance of emergency general relief orders.

7. Research

There is inadequate knowledge at both the state and county levels of what is happening within the A. N. C. program. Through research, policy and procedure must be constantly tested. The administrative agency must be thoroughly aware of changing conditions within its assistance program, and of community factors contributing to these changes if assistance is to be administered adequately.

In some counties there appears to be a total unawareness and lack of appreciation of the values of research as part of the administrative process.

8. Procedures

One reviewing the mechanics of the A. N. C. program is impressed with the exceedingly complicated procedures in determining eligibility and the distribution of costs between the State and counties. Much of this is inherent in the state-county financial relationship. Substantial simplification of procedures, with resultant savings in administrative costs, would seem to be readily possible. The extent to which it could be effective depends upon the problems of state-county administrative arrangement.

V. OLD AGE SECURITY

The old age security program presents a number of particular problems, not only because of the character and size of the group involved, but because of the basic pension or flat-grant concept of aid practiced in California.

The Legislature has established a maximum payment per recipient of $75 a month. This also operates as a minimum except that income or other resources of the payee not used for "excess needs" are deducted from $75 in determining amount of the grant. The actual average payment in September, 1950, was $70.74.

Total payments to recipients under the program was $19,140,729 in September, 1950, or approximately 69 percent of the total assistance payments made to all types of welfare recipients that month.

While many persons conceive of this as a pension program, it is not actually that. Neither is it strictly a needs program in the sense that payments are based on cost of basic consumption items determined by quantity-quality standards such as under the aid to needy children program and most public assistance programs for aged and other groups throughout the Country, and as visualized under the Federal Social Security Act.

The law establishes the amount of payment for an aged person as $75 less the amount of any regular income he may have However, it also provides that if his "needs" exceed $75 and he has income, he may retain part or all of that income to meet these excess needs. But the actual old age security payment may not exceed $75 a month.

To meet the requirements of the Federal Social Security Act, and thus qualify for the substantial federal financial aid available, the State has established certain standards.intended to represent the basic consumption requirements of all aged persons and their cost; the type of special needs some may have because of individual circumstances and the conditions under which these may be recognized; and methods for

evaluating and determining income resources. These standards are not strictly objective measurements of need, but are influenced by the requirement in the law that $75 is the basic amount that shall be provided.

Public assistance payments are generally considered to represent the difference between what a person has (income and resources) and what he requires. This difference represents the actual need of the person or the amount of the assistance payment. The total requirements against which this need is measured represents the judgment or determination of the law or administrative agency as to what level of living should be provided as a basic minimum for all persons in the community.

Under the old age security law, the responsibility of the State Department of Social Welfare is to determine how income and resources will be evaluated and accounted for and to define the excess needs against which such income might be applied. Because of federal requirements it is also necessary that the department define the basic standards of need in terms of what consumption items can be provided and their value, to insure uniformity of treatment for all recipients in the State.

A. BASIC ASSISTANCE STANDARD

The department has determined that all aged persons require food, shelter, clothing, transportation, utilities, household maintenance expenses, and personal and incidental items and has established values for each of these basic requirements. The actual values established for the items are such as to exactly total $75, the basic amount the law specifies should be provided each aged person qualifying under the program.

A schedule of basic standards has been issued as follows:

Food	$28.50
Household maintenance and replacement	4.50
Clothing	6.20
Transportation	4.50
Incidentals	10.00
Shelter	15.00
Utilities	6.30
Total	$75.00

These cost standards are somewhat higher than applied under the aid to needy children program. For items exclusive of shelter, utilities, and transportation, the basic requirement for a moderately active man under the A. N. C. program (based on the San Francisco schedule for March, 1950) would be $38.06 as compared with $49.20 for the aged recipient. Transportation allowances are provided in the A. N. C. program only on a basis of special demonstrated need for them.

The major differences in the cost standards for the basic items other than shelter, utilities, and transportation, are in those for food ($28.50 O. A. S., $24.47 A. N. C.) and in the allowances for personal needs and incidentals ($10 O. A. S., $3.48 A. N. C.).

The O. A. S. food budget is determined in the same manner as in the A. N. C. program, but adjusted by adding 30 percent. For a single

individual under the A. N. C. schedule, the adjustment would be 10 percent. This 30 percent adjustment is intended to cover increased food costs of single persons and permit meeting low-cost special diets or different food habits of aged persons.

Incidentals covered by the $10 allowance would cover medicine chest supplies as well as such personal needs as haircuts, shaving supplies, tooth paste, newspapers, tobacco, etc.

The rental allowance of $15 does not recognize regional variations in shelter costs and is an arbitrary figure that may be too low or too high in individual cases. Excess rent could be covered by income, if present. Where recipients live rent free, deductions are made from payments on the basis of values assigned to different grades of living accommodations, but not in excess of $15 although in many cases less than that amount.

A flat allowance for utilities does not recognize regional cost differences or the availability of certain types of utilities. In those areas where kerosene or butane must be used as fuel for cooking and heating, the requirements will be greater than the allowance. In other areas actual cost of utilities would be less than the amounts allowed

B. EXCESS NEED STANDARD

In addition to the basic requirements, certain types of special needs are defined. These definitions recognize that certain persons because of individual circumstances do have special needs that are not common to all persons and which cannot be met through the allowances provided for the basic consumption items.

Because of the maximum payment established by the law, it is not possible to provide all recipients with money to meet their special neeeds as defined by the department, but where these individuals do have income resources such special needs may be taken into consideration in determining the actual amount of the assistance payment.

The state department has defined these excess need items and in many instances has established specific values or limitations on costs for them, as follows:

Food—Special diets in such amounts "as needed," restaurant meals, $21.40 above basic food allowance.

Shelter—Amount as needed above the $15 basic allowance.

Utilities—As needed but not to exceed $11.50 above the basic allowance.

Replacement of worn-out household equipment—Actual cost of replacement based on minimum prices.

Board and room—Amount required in excess of $55, roughly equivalent to basic allowances for food, household maintenance, shelter, and utilities.

Clothing replacements—Cost of replacement of necessary clothing destroyed by flood, fire, etc.

Transportation—Not to exceed $10.50 above the basic $4.50 allowance.

Rest home expenses—Up to a maximum of $145 above the $55 board and room allowance.

Medical treatment—As needed.

Medication—Amount as needed.
Nursing service—When required up to a maximum of $145.
Other medical care needs—As required.
Housekeeper services—Amount as required.
Laundry—Maximum of $5 a month when recipient does not have facilities or health requires use of commercial laundry.
Telephone—Maximum of $4 a month, where required by health or isolation.

The circumstances under which these various excess need items may be considered for allowance are defined by the state department although they leave to the social worker considerable discretion in determining justification for making the allowance.

In practical application, the amount of outside income of the recipient operates as a limit on the excess need allowances. If the person has no income, there are no special needs considered under the state program. If he does have income, the allowances for excess needs cannot exceed the amount of that income. It seems clear that where there is income present, emphasis is upon locating special needs to permit the recipient to retain as much of this other income as possible, thus minimizing deductions from the $75 base in determining the actual payment.

C. INCOME RESOURCES

Identification and evaluation of income resources are important in determining the actual amount of payment, and of course in applying the excess need standard. State regulations establish detailed standards for accounting for income of various forms. It is the opinion of the state department that the county offices are careful in evaluating these resources and accounting for them in determining the amount of actual payment.

Approximately 49 percent of the aged recipients are considered to have income resources. Of those who do have income, the average value was approximately $17.90 a month, prior to October 1, 1950. This amount was increased beginning in October because of the liberalized old age and survivors insurance program. (The average after October is estimated as about $20.55 per case.)

About half of the income accounted for was applied to meet excess needs and the remainder deducted in determining actual payments, thus representing savings in costs of the program.

Application of these income resources to excess needs and to deductions from the basic grant may be illustrated as follows:

Basic grant established by Legislature	$75.00
Average estimated income per case (December, 1949)	8.70
Difference	66.30
Income applied to meet special needs	4.44
Actual average payment per case (September, 1950)	70.74
Income actually deducted in making grants	4.26

Since the amount of income was increased by the old age and survivors insurance program, effective October, 1950, theoretically an additional estimated $2.65 might be deducted from the grants representing a total saving of $717,000 based on the 270,562 cases receiving

assistance in September, 1950. However, an indeterminate part of this increased income will be applied to meet excess needs.

Included in the income group are those recipients who own their own homes and are charged nominal sums for "use and occupancy" value. These persons may have no actual cash income, but the use of their own homes is considered a resource for which certain deductions may be made in determining the actual payment. In effect this use and occupancy value is deducted from the $15 allowed for shelter, the balance of the amount being considered to meet such expenses as taxes, insurance, minor upkeep, etc., on the home.

Amount of income for the 48.6 percent with income, including the use and occupancy value resources, was distributed approximately as follows in December, 1949:

Under $10	50 percent
$11 to $20	22 percent
$21 to $30	16 percent
$31 to $40	5 percent
$41 to $50	3 percent
Over $50	4 percent

Seventy-seven percent of those with income under $10 represented recipients owning their own homes and credited with use and occupancy value.

In dollar value, income from old age and survivors insurance payments represented almost 45 percent of total income recorded, exclusive of use and occupancy value, in December, 1949. This becomes a much larger proportion beginning October, 1950, since these payments were increased roughly 77 percent by the 1950 amendments to the Social Security Act.

Principal sources of income, with estimated total monthly amounts involved as of December, 1949, were as follows:

Old age and survivors insurance benefits	$963,000
Contributions from relatives	449,000
Pensions and annuities	304,000
Income from real property	151,000
Earnings	121,000
All forms of income other than use and occupancy value—Total	2,156,700

Approximately 27 percent of the total recipients have some form of income other than use and occupancy value of their own homes. Seventeen percent of the total case load receive old age and survivors insurance payments.

D. APPLICATION OF THE STANDARDS

In terms of meeting the actual needs of the individual, there are a number of inequities and discrepancies in application of the flat-grant of $75, with income deductions and excess need allowances. There is unequal treatment of the actual needs of those aged who must rely upon the old age security program for their maintenance.

The case load may be divided almost equally between those with some form of income resources and those without. Presumably the actual needs of these two groups of aged persons would be similar. However, in the one instance the absolute maximum funds available for maintenance is the $75 maximum amount. In the other, through the combination of the flat-grant and use of income to meet excess needs, the total funds available to the individuals is greater. But even in this latter group there is not equality, since the amount of income limits the excess need allowances and some thus have more total funds for use than others.

Judged from the point of view of total cost or in relationship with aid granted other groups of needy persons, such as families with dependent children, it is a liberal and thus relatively expensive program. Emphasis is on maintaining the basic standard of $75 payment and minimizing deductions because of income. This results in a higher average cost per case than might result from a program based on accurately measuring need.

1. Standard for Basic Needs

This standard is obviously geared to equal the $75 amount established by the Legislature. There are two items, shelter and utilities, involving costs that vary considerably between recipients. If the values for these items were established on a standard cost schedule basis, such as in the A. N. C. program, they would vary between localities and the shelter item would be on an as paid basis except for limitation by amounts. However, it is not possible to establish the standards on an objective cost basis because of the flat-grant principle laid down by the Legislature.

Additional deviations from the normal concept of establishing standards to measure need, are involved in the method of treating situations in which basic consumption items may be provided to recipients from other sources.

Almost 25 percent of the aged recipients are living with relatives and friends other than with spouse only. It would normally be expected that these individuals are furnished free rent and utilities, and perhaps other items involved in the standards such as household maintenance items, and that accordingly the value of these items as established in the schedule would be deducted in determining the payment since these items are not needed but are resources furnished the recipient outside the program.

State regulations provide for evaluation of such free rent and utilities, but are so written as to more or less encourage finding that the recipient is actually paying for such services. Under normal circumstances it can be expected that few persons would be charging aged relatives for such household expenses in the absence of state funds made available under a pension-type program.

Even where it is determined that free rent is available to the recipient, there is not an automatic deduction of the $15 allowed for this item of expense. State regulations provide that the type of housing accommodations shall be evaluated in relation to comparable rents in the community and adequacy of housing, with varying values established ranging from $5 to $15. Thus if it is not considered that the shelter provided is substandard, $5 is deducted from the rent allowance to represent the value of this free rent resources. If it is considered "intermediate" the

value placed would be $10. If considered standard the deduction equals the $15 allowed for payment of shelter by the standard.

On the other hand many recipients will have to pay more than $15 a month for shelter. If they have no outside income to apply against this increased cost as an excess need, the difference between the $15 theoretically allowed for rent and the actual cost of accommodations must be made up out of other portions of the $75 allowance. Since the utility item appears high for many of these recipients, this excess might be applied to rent or amounts taken from such other items as personal incidentals, clothing, transportation or perhaps food to make up the difference between actual cost and amount allowed for shelter.

2. Excess Need Standards

The enumerated excess need items are available only to those who have income except insofar as there is room in the basic standard for meeting a portion of such needs identified as permitting allowances for excess needs.

There is very little information available as to just what excess needs are being met or what the true special needs of the aged group are. These special needs are not evaluated unless the person has income, and then generally only to the extent that the income available can cover the cost. The Department of Social Welfare has not made recent studies as to the extent to which specific items are being recognized and the cost of providing for these special needs.

It is generally considered that the various types of health and medical care needs account for the great majority of special needs. It should be noted that while persons without income may not receive any recognition for such needs under the program, they are furnished free medical care services through the county governments. The costs of providing such services are not reflected in the costs of the O. A. S. program.

Of those recipients who have income, including the use and occupancy value income, 70 percent are considered to have excess needs. Of those who do not have income, only one-fourth of 1 percent receive any special need allowances, these being through supplemental county funds and exclusive of free medical care provided. For the total case load, about 35 percent are allowed excess need items.

There appears to be a direct relationship between amount of income and a finding that excess needs exist. In the group with income of less than $10, which is made up in large part of those with use and occupancy value of their own homes only, 39 percent are considered as having special needs. In the $11 to $20 income group, 57 percent are allowed excess needs and in the $21 to $30 group, 72 percent. In the higher income groups, the proportion allowed excess needs was over 90 percent.

Where there is income it appears that emphasis is placed on determining that excess needs do exist so that part or all of the income may be retained by the recipient.

The importance, from a cost point of view, of these excess need allowances is illustrated by the fact that for the month of September, 1950, the allowances for special needs were equivalent to approximately $1,200,000.

E. GENERAL COMMENT

A flat-grant or pension type program such as established has the virtue of guaranteeing to aged persons a certain basic standard of living—$75, or $75 plus income. It is not, however, an equitable or economical method of meeting the actual requirements of needy aged persons.

Persons needs differ because their circumstances differ. A minimum-maximum type of payment cannot satisfactorily meet actual need. If actual requirements of needy persons are to be met, the amount of the payment to specific individuals will vary considerably because their resources vary and their special needs are different. Under the present program some aged recipients undoubtedly continue in need although receiving the maximum payment. Others may receive more than they actually require because of the concept of a minimum payment and retention of income.

The Legislature has established a general standard that aged persons should have available the equivalent of the purchasing power of $75 to meet their requirements. It is possible to maintain that standard and yet administer a program that has closer relationship to actual needs of individuals. This would require abandonment of the flat-grant or minimum-maximum payment concept and substitution of full accounting for all resources and recognition of special needs in all cases, with probable reduction in total cost of the program.

Without reducing the general standard that has been determined should be provided aged recipients, a true needs program recognizing the varying needs of individuals can be established along the following lines:

1. Minimum standards for determining need and assistance payments would be based upon a standard of living equivalent to the purchasing power of $75, the actual amount to be adjusted with changing living costs. Basic consumption items would be defined and values placed upon them through objective determination of actual quantity-quality requirements, currently priced. The total value of such items would equal $75, but might include more items than now covered in the basic standards thus limiting to that extent the special needs items.

2. There would be established specific and detailed standards governing the circumstances under which special need items not covered in the basic standard might be allowed, with values or limits of cost, on individual items. These would be applied on the basis of the actual need of the individual, and not his income status.

3. All income or resources, including the value of consumption items provided from other sources, would be evaluated and deducted from the value of total requirements in determining the actual payment.

It has not been possible to conduct the studies that are required to determine the cost factors inherent in the present method of administering old age security. Detailed study of all of the factors brought out in this general analysis are necessary to determine how there can be established a sounder program for aged assistance. The high cost of the present program coupled with the obvious inequities in meeting the needs of all aged recipients are ample justification for extensive study of all features of the program.

A complete and detailed evaluation of the present standards of assistance for both basic and excess needs, and evaluation of methods for determining and accounting for resources should be made. This should be done in relation to the basic purposes of meeting the actual requirements of all aged individuals as economically as possible, yet providing a sound and adequate standard of care.

F. SPECIFIC ELIGIBILITY REQUIREMENTS

1. Citizenship

Noncitizens, regardless of the length of residence in the Country or the State, are ineligible for old age security. Citizenship is not a qualification in any of the other assistance programs.

Needy aged noncitizens are provided for in the county general relief programs. The actual numbers involved is not known as there are no statewide figures. However, the San Diego County Welfare Director estimated that there were 100 such individuals being provided assistance by that county under the general relief program because of their technical ineligibility for old age security.

There would be little, if any, additional cost by transfer of such general relief cases to the old age security program, and particularly not if the program were administered on a needs rather than flat-grant basis. Since federal funds would be available for such persons under the old age security program, these would make up for the difference in payment between a general relief standard and the more adequate payments provided under the old age security program.

2. Residence Requirements

The law specifies California residence for five of the past nine years, and one year continuous residence prior to filing application, as one of the eligibility requirements. Because of the relative liberality of the California program as compared with most other states, this residence requirement is defended on the basis that it prevents or discourages individuals from migrating to California for the purpose of securing assistance.

Those aged persons who do not have the residence requirements for old age security, but who do have sufficient residence to qualify for county general relief, will be provided for under the general relief programs if in need.

There is no state-wide data on the number of general relief recipients denied old age security solely on the basis of residence requirements. Similarly to the noncitizens, their transfer to the old age security program would probably involve no more state and county funds than are now being expended by the counties for their care under the general relief program.

Many people do not believe that aged individuals will migrate for the purpose of securing more favorable public assistance grants. Most of them have close personal and family ties that they are unwilling to break, particularly in their declining years, by moving to another state.

Others feel strongly that to reduce or eliminate residence requirements would cause an influx of elderly people to California for the sole purpose of securing old age security, thus increasing the already heavy

tax burden of caring for the aged, and some persons attribute the present large number of O. A. S. cases partially to in-migration because of the relatively favorable program in California.

3. Institutional Inmates

There is a large group of aged persons who because of senility or other chronic infirmities are more or less permanent resident of public medical institutions or homes or who are cared for in such institutions for extended periods of time.

Under the old age security law, these persons are not eligible for assistance except for a period of two months for those recipients entering such institutions. Cost of their care is borne by the counties or other public agencies, and for some of the group partially by subventions paid under authority of the old age security law to the counties

For purposes of securing federal funds under the old age assistance program of the Social Security Act, these persons can now be classified under the old age security program. The amendments of 1950 to the Social Security Act makes this possible, but requires amendment to the California code to take advantage of these federal funds.

There are two groups of aged persons involved. Those who were on the O. A. S. rolls at time of admission to the public institutions and those who while never on the rolls could qualify on a needs basis, having entered the institutions before making application under the O. A. S. program.

In the case of O. A. S. recipients entering such institutions, the O. A. S. payments may be continued for a period of two months. After that time, O. A. S. is terminated but the State pays to county institutions a subvention of $35.20 per person. For those who had never been classified under the program, there is no provision for financial participation under the old age security program.

Amendment to the law to provide for payment of assistance to or on behalf of eligible persons in public medical institutions (except those in mental and tubercular hospitals) would bring into the State $30 per month of federal funds for each of these persons. This classification of such persons under the O. A. S. program would not increase the cost of their care, but would shift a portion of that cost from local taxpayers to the Federal Government.

The primary beneficiaries of such amendment would be the county governments since they are paying for care of most of these persons and would be enabled to charge them for a portion of the cost of care through the O. A. S. payment. State costs would be approximately the same for the group now covered by subventions. State costs would be increased for the group not covered by the present subvention.

Principal effect of such an amendment would be a redistribution of costs. Such an amendment was proposed at the special session in September, 1950, but failed of passage. At that time it was estimated for the nine months period October 1, 1950, to June 30, 1951, the amendment would have decreased county costs by $1,704,000, and increased state costs by $1,015,000. There would have been an estimated net decrease to California taxpayers of almost $700,000, based on an average of 4,500 such institutional inmates being covered under the old age security law.

4. Real Property

A recipient may hold real property with county assessed value, less encumbrances, of not more than $3,500. Such property not used as a home must be utilized to meet the needs of the recipient, such as through producing income.

Approximately one-third of the O. A S. recipients have real property and of that group 92 percent have homes. Some 15 percent of the recipients own real property other than homes, and in about half of these cases this other real property is the only property owned.

The approximate distribution of recipients owning real property, by assessed value of that property is as follows:

Assessed value under $500	27 percent
Assessed from $500 to $990	33 percent
Assessed from $1,000 to $1,990	34 percent
Assessed from $2,000 to $2,990	5 percent
Assessed $3,000 or over	1 percent

Twenty percent of those owning real property have encumbrances on the property, these in many cases being in amounts in excess of the assessed value.

Encumbrances under $1,000	39 percent
Encumbrances of $1,000 to $1,999	26 percent
Encumbrances of $2,000 to $2,999	16 percent
Encumbrances of $3,000 and over	19 percent

In approximately 6 percent of the cases, individuals holding real property had encumbrances on it of over $5,000 and in some instances running as high as $10,000.

G. RESPONSIBILITY OF RELATIVES

Section 2181 of the code requires that the boards of supervisors determine the ability of responsible relatives to contribute to the support of applicants for old age security. The maximum degree of liability of such relatives is established by a "Relatives' Contribution Scale." In "unusual" cases, the board of supervisors may establish the contribution amount at less than the scale.

Section 2224 requires that the board of supervisors send a form to each "spouse or adult child pecuniarily able to contribute" within the State to determine whether the relative is contributing and will continue to contribute. This form is to be completed by the relative as a sworn statement.

The granting of assistance is not contingent upon the filing of the forms or the determination of liability of the relative. Action taken is against the relative and the applicant for assistance is thus not penalized.

In state legislation throughout the Country, there have been four general approaches to the question of responsibility of relatives to support their aged parents:

1. No requirement either by statute or administrative method;
2. Specific laws requiring contributions;

3. Reliance upon provisions of the general laws requiring children to support their parents;
4. No legal provision, but inducement through administration for relatives to give voluntary support.

Because of the wide diversity of laws, general economic and social conditions, and administration between the states it is not possible to apply the experience of other states to the California old age security program. Neither is there any clear trend in state legislation concerning this problem.

The question of statutory responsibility requiring children to support their elders has been prominent in legislative discussion in California for years. There has been gradual liberalization of the laws pertaining to relative support and for a short period such provisions were not in existence and the administrative agency restricted in soliciting such contributions.

In the special session of 1950 amendments were made liberalizing the contribution scale to eliminate required contributions from a relatively large group of persons in the lower income groups.

1. Recent California Experience

A study conducted by the Department of Social Welfare in 1944 showed that over 55 percent of relatives contributing to the support of aged parents were not actually liable under the contributions scale then in effect.

Contributions made in 1944 by those relatives who were liable under the scale were actually 32 percent greater than required by law.

Of 21,400 contributing relatives, 11,900 or 55.6 percent were not liable under the contributions scale. At least 2,100 were contributing in excess of their established liability; 1,800 with established liability were making no contributions.

Only 1.38 percent of relatives requested to file statements were referred to district attorneys. Of a total of 3,250 cases referred, only 38 were taken to court.

The 1944 study indicates that relatives financially able are willing to contribute to the support of aged parents on a voluntary basis. It also indicates that in administration there was a tendency to exempt responsible relatives from contributing or a reluctance to take legal action against them.

Article XXV removed the relative responsibility provisions and restricted the welfare departments in soliciting relatives for contributions.

The Social Welfare Department reports that 13.1 percent of the O. A. S. recipients in December, 1948, were receiving contributions from relatives. The proportion of cases receiving contributions dropped to 8 percent by June, 1949, and 7 percent by January, 1950.

This experience indicates a reduction in the proportion of recipients receiving contributions, but is not conclusive when considering other factors involved. Had the relative responsibility change been the only change in the program, the experience would be a valid test. However, the amount of the grant was increased and other liberalizations made. Since approximately one-third of the recipients receiving contributions

in December, 1948, were receiving them in amounts of $10 for less per month, it is possible that the increase in the grant had as much or more to do with the reduction than the change in the relative responsibility law itself.

The average contribution increased from $17.22 in 1948 to $18.96 in 1949. This may be due to the elimination of small contributors. The annual amount of contributions for 1948 was $5,124,000 and dropped to $4,528,000 in 1949. This indicates that the removal of the relative responsibility provisions resulted in decreased contributions since the case load increased 30 percent during that time.

Senate Bill No. 3 of the 1950 Special Session liberalized the scale for determining liability and the minimum income level was raised to a point that would have eliminated the group contributing $10 or less in December, 1948.

It is difficult, if not impossible, to accurately determine the effects that the law, or the absence of one, actually has on welfare costs. Such factors as attitudes of individuals, the adequacy of assistance payments, changes in living costs and the economic situation of relatives, administrative efforts to develop resources, all influence relative contributions. In California, the pension concept in the old-age program must certainly have much to do with the attitude of relatives and the aged recipients themselves.

2. The Contribution Scale

The scale is essentially a guide. Data available indicates that it is not enforced in all situations. If it is conceived of as a guide, and exemptions are made on the basis of family circumstances, some of the effect of and objections to specific legal requirements are removed.

It is possible that the scale itself contributes to less contributions. Any scale is drawn on a fairly arbitrary basis in attempting to measure money income required for family maintenance. It is probable that many persons exempted by the scale are financially able to contribute at least small amounts. They are relieved by law of making contributions, and some may assume that this relieves them of moral obligations as well. Nevertheless the 1944 study shows that many relatives do contribute even though not legally liable which strengthens the argument that the effectiveness of statutory requirement is overestimated.

It is possible also that the establishment of the scale in the law would have the effect of limiting contributions of some relatives to the amount established by law. The 1944 experience indicates that many relatives exceeded the legal liability amount in their contributions, however.

3. Inducements to Contribute

The method of administering the flat-grant assistance program may provide specific inducements to relatives to contribute to meet special needs. Since in the O. A. S. program the $75 grant is considered a base, emphasis appears to be on finding special needs over and above the base so that the recipients may retain part or all income outside the assistance payment. This provides an inducement to relatives to contribute to provide "extras" for the parent. It also has the effect of reducing the savings to the State from relative contributions.

4. Influence to Case Load

The relative responsibility factor cannot be isolated as to its potential effect on the case load. It is the judgment of many that elimination of legal requirements would cause additional persons to apply for assistance and that the present law is actually a deterrent in many cases.

The present contributions scale has been liberalized to the point where it is doubtful that potential recipients are holding back from applying for assistance because of the legal responsibility provision. Unless there were intense problems of family relationship, the major deterrent would normally be unwillingness of an aged person to impose hardship on his relatives. The contributions scale, both in its construction and the ability of the boards of supervisors to make exceptions from it, would minimize such hardship situations.

5. Influence on Average Payment

To the extent that the contributions are deducted from the basic grant of $75, the average payments are reduced and savings in costs to the State accomplished. The emphasis on finding "special needs" and applying income to them, cuts down on these potential savings.

Since a large portion of those contributing are not required to do so by law, the contributions would continue without the statutory requirement. To the extent that they are contributing only to meet "special needs" or provide "extras" the contributions have little influence on costs to the State.

To the extent that the existence of the scale causes public welfare workers to ignore the possibilities of contributions or provides to relatives the impression that they are relieved of all responsibility, the legal provisions might actually provide for less savings in total costs.

6. Relative Contributions as a Resource

It is the practice in some areas, where there are no specific legal requirements such as in California, to explore with applicants and their relatives the possibility of voluntary contributions. This is effective to the extent to which the agency emphasizes the development of resources for its recipients. If done on a sound basis, some of the undesirable consequences of statutory requirements (where family relationships are strained; where hardship would be created) are eliminated. Whether or not equal contributions could be secured through the voluntary method, and with encouragement and follow-up by the agency, is in the area of guesswork. In such situations the case worker is guided by a scale not unlike the one in the California law in determining the advisability of contacting relatives to secure their voluntary support.

7. Procedural Problems

The Department of Social Welfare has estimated the cost of administration of the relative responsibility provisions as 10 percent of costs of local administration. This is admittedly a rough estimate. It would amount to about $1,026,000 for the Fiscal Year 1950-1951.

The 1944 study indicated that about 70 percent of O A. S. recipients had one or more relatives in the State. There were 278,500 such relatives or 1.7 per case. On this basis, it could be assumed that about 450,000 relatives would be involved now.

Under the present law each of these 450,000 relatives must be contacted annually.

The requirements of a sworn statement raises problems because of the inconvenience to the relative involved in securing notary services. The department is attempting to minimize this through a preliminary inquiry form, which need not be sworn to. However where liability is indicated an additional form must be executed by the relative, this one being the sworn statement.

This procedure, set up by the law, is of questionable value. However it may be argued that enforcement of the law requires such an elaborate mechanism since income and circumstances of families do change.

8. Another Approach

Consideration might be given to deleting from the law the present provisions regarding relative responsibility and substituting therefore a general provision to the effect that in determining eligibility and the amount of assistance to be granted to an individual the department shall evaluate all readily available and potential resources for support of the individual, including the ability of relatives to assist in his support but shall consider such resources in determining eligibility or amount of assistance only to the extent that they are actually available.

This would place relative responsibility on an administrative basis. For administration, the department would be required to establish regulations governing the use of relatives as a resource, including guides in the form of contribution scales for use of the case worker.

It would place the relative responsibility factor on a voluntary rather than compulsory basis.

H. PROPERTY LIENS

Much if not all of the controversy over relative responsibility for support of aged persons would be eliminated or rendered meaningless if there were provided liens on property of recipients of old age security. Such liens are now prohibited by the State Constitution. However they are worthy of discussion in this report.

A great deal of the objection to liens on property of aged recipients is due either to misunderstanding of their effect, or because of experience with unduly harsh lien provisions which tended to restrict recipients in the management and control of their property while living. Some of the objection is purely emotional.

Liens in old age assistance programs are common features in many states and there has been generally good experience in administration of reasonable lien provisions. The justification for such liens is on the following basis:

1. The recipient is entitled to public assistance as a matter of right, if he is in need, and is able to rely upon such aid during his declining years;

2. Such real property as he possesses and which is used for his current needs, remains his during the period of his lifetime and that of a surviving spouse or dependent child;

3. When such property is no longer required by the recipient or his dependents, it should revert to the State which has supported the recipient rather than be inherited by relatives who have not assumed responsibility for support;

4. Through establishment of the lien, the recipient has the knowledge that he is not actually dependent upon charity but is exchanging his interest in property at the time of his death for assistance during his lifetime.

5. A choice is given to relatives in line of inheritance as to whether they wish to support the recipient or have their interests in the property taken over by the State in consideration for the use of public funds for supporting the aged person in need.

6. The State recovers part or all of its expenditure in aiding the recipient and thus decreases the total costs to the taxpayers in providing for needy aged persons.

A simple and adequate type of lien provision can be established by requiring as a condition to granting assistance to persons who own or have an interest in real property, that such persons enter into an agreement that all grants of old age assistance will constitute a lien against the interests in such real property and shall remain a lien until satisfied.

Such liens would take priority over any other liens subsequently acquired except tax liens. In estates, claims for funeral expenses in limited amounts, expenses of last illness, costs of administration, and allowance for the widow and children for a limited period following death would also have priority over the lien.

The lien would not be enforced while a home was being occupied by the recipient or by his surviving spouse or minor child or any physically or mentally handicapped child of the recipient. However it would be enforceable as a claim against the estate if admitted to probate by an interested party other than the State.

The lien could be discharged by the recipient, his heirs, or personal representatives at any time by paying to the State the amount represented by assistance payments.

Such liens would not be prejudicial to the interests of the recipient and he would have full control and management of his property during his lifetime. It is recognized that for many aged, their homes provide their most tangible link with the past and offer a basis for maintaining a sense of independence as well as social and emotional security and community status. These values need not be interfered with through a lien program under which he would be exchanging his interest in the property for the security provided him through regular monthly assistance payments.

Twenty percent of the recipients holding real property have encumbrances on that property. In effect, through the assistance payment, they are building up an equity by discharging the encumbrances that will be left to heirs upon death in the absence of a lien provision in the law.

I. INITIATIVE MEASURES TO BE PRESENTED TO THE LEGISLATURE

In October, 1950, it was announced that sufficient signatures had been secured for presentation of an initiative sponsored by the California Institute of Social Welfare to the Legislature at the 1951 Regular Session. If not approved by the Legislature, the measure will automatically go on the ballot at the next regular election.

This initiative proposes a number of substantial changes in the old age security program, these being the following:

1. State administration and state financing of the program.

2. Removal of the relative responsibility provisions of the law and restricting the administrative agency from making "any demand upon any person to contribute to the support * * *."

3. Continues present provisions for amount of security at $75 when added to income and with provision for meeting special needs from income, but in an amount not to exceed $75.

4. Provides for adjustment in the amount of the basic standard of $75 by a formula requiring adjustment of 50 cents for each full point increase in the cost of living, using March 15, 1950 as a base. Any decrease that would bring the basic amount below $75 is to be ignored as is any increase in the cost of living greater than 50 points. A 50-point increase would require an adjustment of $25, thus making the total security $100, which would be the limit under the formula.

5. Aid in addition to that provided for in the basic standard would be given for health and medical needs, but not to exceed $25 per month. This would be for medical and dental care by practitioners chosen by the recipients, nursing care, and medicines, drugs, hearing aids, optical supplies, appliances, etc., as prescribed by a practitioner.

This additional aid would not apply where income of the recipient has not been taken into account in determining the assistance grant (use of income for special needs).

6. Actual funeral expenses up to a maximum of $150 would be paid if there are no other specific provisions for such expenses such as through burial or other insurance.

7. The personal property exemption would be raised to $1,500, less encumbrances. Motor vehicles of moderate value used for essential transportation would be excluded in determining the amount of personal property.

8. No restriction would be placed on the value of real property, but the exemption of such property would apply only to that occupied as a home or otherwise being used for current or future identifiable needs of the recipient.

9. Establish entitlement to necessary medical and hospital care from the county in which the recipient is living, without regard to county residence. Counties would be authorized to demand payment for such care from the county of residence.

The initiative states that it is its purpose "to make old age security available to the needy aged of the State in such manner that all needs of such eligible applicant and recipient shall be met, without discrimination between those who have income or resources insufficient to meet their full needs and those who are without any other income or resources whatever, in conformity with the requirements of the Constitution of the State of California and of the Federal Social Security."

In another section (Section 12) it provides that the state department shall provide for the care of needy aged "to the end that they shall receive suitable care and that there shall be throughout the State a uniform standard of records and methods of treatment of aged persons based upon their individual needs and circumstances."

In connection with additional aid for health services (Section 7) it is provided that such additional aid will not apply where these services are met from income taken into account in determining the amount of the grant "nor to any health services or other items included in the monthly budget of a recipient whose needs exceed the maximum amount of security to which he is entitled under Section 2020 and whose grant of security is determined on the basis of his excess need."

These three sections would indicate that aid is to be given on the basis of individual need in all cases. However the provisions of Section 6 amending Sections 2020 of the code, would not permit of recognition of excess needs unless the recipient has income. There are no other provisions in the initiative that would make it possible to meet the individual needs referred to, over and above what can be met by the $75 basic grant, except through application of income to such needs or in the case of the additional aid for health services.

Insofar as the recipients without outside income are concerned, the language cited is inconsistent with the actual provisions of the initiative. There would be no method provided for meeting their excess needs, except for health services, just as there is no such method in the present law.

The initiative would make no change in the residence or citizenship requirements of the present law.

If the initiative should be passed, either by the Legislature or at a general election, it would make it impossible to take advantage of recent changes in the Federal Social Security Act permitting classification of inmates of public institutions under the old age security program. There are distinct financial advantages, particularly to the counties, in amending the old age security law to permit classification of the substantial number of aged inmates of county hospitals and homes under the program as is discussed elsewhere in this report.

The sponsors of the initiative have pointed out that the provisions to provide for additional aid for health services has been taken from the Washington State law. In the State of Washington a broad program of health services was established, applicable to other categories as well as the aged recipients of that state.

For the year ending March, 1950, this health service cost an average of $7 42 per month per person on the assistance rolls (including children, and general relief persons as well as the aged). Since aged persons would normally require more health services, particularly of the character outlined in the initiative, than other groups in the population, the cost per person for an aged group should be considerably higher than for the total assistance group.

At present there is no basis for estimating what the costs of this additional aid for health services would be for old age security recipients in California. Costs could be determined only after actual experience with purchasing such services and would be influenced by the extent to which recipients took advantage of such services, fees charged by practitioners, and the type of appliances purchased by the recipients.

It would appear that the special needs for health and medical services would be removed by the initiative from administrative control except insofar as the $25 monthly limitation applied. Entitlement would be automatic for the recipient and there would be no basis for establishing regulations and standards for determining circumstances under which

such needs could be allowed or for controlling the cost of such services and goods.

On the whole, the effect of the initiative measure would be to liberalize to a minor extent the personal and real property exemptions; to adjust aid payments with changes in living costs; and to increase the assistance costs through providing specific additional allowances for health and medical services. It would make for a substantial change in administration of the program by re-establishing state administration and would reduce county costs by providing for total financing of the program from state and federal funds.

The initiative would not change the present flat-grant method of providing assistance and would not in effect guarantee equal treatment to all aged recipients on the basis of their needs since allowance for special needs, other than health services, would still be dependent upon the recipient having income to apply to such needs. However it can be presumed that the predominate special needs that cannot be met within the present flat-grant are for health and medical services and to this extent the establishment of additional allowances for this purpose would serve to meet most of the special needs of all of the aged recipients.

J. CONCLUSION

The old age security program is not a thing separate and apart. It needs to be considered in its relationships to other social and economic programs, including the general problems of an aging population.

This general evaluation is limited to certain specific features involved in the administration of the law that establishes a combination pension-needs program. It indicates that the needs of elderly people can be met on a more equitable basis than is now true, and that probably the total costs can be reduced without lowering the basic standard of living to be afforded those aged persons who are deprived of other means of support.

California, in common with the rest of the Country, has and will continue to experience an increase in its aged population, not only in their numbers but in their ratio to the total population. Unless there is found some better solution than now exists to increase the opportunities of elderly people for self-support and to provide other means for giving them basic economic security in old age, the burden on the remainder of the population for providing for the aged will increase.

A report of the U. S. Senate Committee on Labor and Public Welfare, August 29, 1950 (Report No. 2456, Calendar No. 2462, Eighty-first Congress, Second Session), illustrates the problem in quoting from a statement from testimony of Dr. Howard A. Rusk, Associate Editor of the New York Times, as follows:

"It has been said by students in the field that if we do not do something about utilizing our individuals over 65 in our economy, if we do not do something about providing more opportunities for the disabled to be trained and to take their part in our economy, and the same for the chronically ill, that by 1980 for every able-bodied worker in the labor force there will be one in this category on each laborer's back."

There are several problems posed. One is how best to provide economic security for those unable to be self-sufficient in old age. Another is determining means for making the best possible use of the human resources of the older group in the population. There is a third problem

of meeting the social and personal needs of elderly persons aside from their economic requirements.

The present old age security program does provide a measure of economic security to most aged persons who have attained the calendar age of 65. In doing so, it provides more generously for some than for others in relation to their actual total living requirements. It does not attempt to meet the needs of the aged individual under 65 and these persons, together with noncitizens and those with short residence, must rely upon the variable and in comparison substandard general relief programs for subsistence.

Because so much emphasis is placed on "Old Age Pensions" in public concept and administration, when in reality the program is not a strict pension program, there is more emphasis on legal or technical entitlement than on need and a tendency to consider the program as an end in itself.

It would appear more constructive to consider this program as a needs program, supplementing other forms of social and economic action to provide for aged persons and with the hope that through continued development of these other forms of action the need for this supplemental or residual aid would gradually lessen. It is in that direction that lies sound security for persons in their declining years.

As a first step, the law should be amended and so administered that the determination of eligibility and amount of assistance is based upon the needs of the individual applicant, such as outlined previously in this report. If in this process, the general relief program can be standardized and the level of aid increased to a point of uniform adequacy, there would be developed an integrated public assistance program attuned to the needs of all classes of people in the State.

Primary reliance for the support of elderly people who have left gainful employment should be upon the old age and survivors insurance system and other private and public retirement and annuity programs. Such programs have developed considerably in recent years and emphasis should be placed on broadening and strengthening them to make them more adequate rather than upon a state pension program for those aged persons who are in need because of inadequate protection from other forms of economic security. The assistance program would supplement inadequate pensions or meet the needs of those who for one reason or another cannot have the protection of such programs.

Much needs to be done to assure to elderly individuals opportunities to remain in or secure gainful employment. The individual himself will be better off and would prefer to continue work. The employed worker will be at least partially self-supporting rather than wholly dependent on income produced by others, and his contribution to the total national output will help raise the general level of living for all.

This is a problem of industry and labor as well as of government. Discriminatory employment policies, failure to make work adjustments for older workers, and forced retirement all contribute to economic insecurity of older people, which is not justified by the demonstrated skills and productive capacity of older workers.

Attention needs to be focused upon health problems, living arrangements, education, community participation, vocational rehabilitation, and other measures for improving the well-being of the aged and to enable

them to continue as active, productive, and contributing members of society.

It is only through attention to the total needs of the aged population and recognition of the changing social and economic conditions that have created problems that will continue to increase unless attacked, that a sound public policy for meeting the needs of elderly persons can be evolved. Unless these things are done there will be increasing pressures on the public assistance program.

VI. GENERAL RELIEF OR INDIGENT AID

Since there are actually 58 different general relief programs varying in basic eligibility requirements, standards of aid, and administration, they can be evaluated only on a very general basis.

Aided are those needy persons and families who for one reason or another cannot meet the technical eligibility requirements of the other assistance programs which are financed on a federal-state-county basis. Included in the indigent aid relief rolls are persons 65 years and over and dependent children not eligible for help under the old age security or aid to needy children programs for technical reasons. Included also are the chronically ill and disabled as well as those temporarily in need because of unemployment or as a result of temporary illness or for other similar reasons.

While these programs might be considered as a "catch-all" for those needy who cannot qualify under the state-wide categorical programs, they do not necessarily provide relief to all of these needy persons. In particular, the county residence requirements (usually three years) may render many needy persons ineligible for even indigent aid except perhaps on an emergency basis.

Persons who do receive general relief are normally aided on a basis considered much less adequate than under the other assistance programs, due either to unwillingness or inability of individual counties to finance the program on a level that would permit a higher standard of aid, or to other localized policies. The fact that no federal or state funds are available to meet a portion of the costs requires that the total financial load fall upon the individual county governments.

In relation to the special assistance programs established for specific categories of needy, the indigent aid programs are generally inadequate and restrictive. The manner in which aid is given is frequently in considerable contrast with provisions made for those needy who can qualify for old age security, aid to the needy blind, or aid to needy children.

Frequently there are fine technical lines distinguishing between the persons receiving indigent aid and those helped under other programs. While it is commonly felt that general relief programs are designed primarily for employable persons, policies in many counties restrict eligibility to the unemployable or provide only emergency or seasonal relief to employables. The high proportion of unemployables, or limited employables, is reflected in the relatively stable single-person case load which has not shown the seasonal variations or responsiveness to changed employment conditions that has been true of family cases.

There are many aged persons, either not having yet attained the calendar age of 65 or barred from O. A. S. help because of citizenship or

residence requirements, on the general relief rolls. The chronically ill and disabled must likewise fall back on general relief for subsistence because of the absence of a specific state-wide program for them. So, too, in family situations, children may be dependent and families in need even though the parent is not incapacitated or absent from the home as required for classification under the aid to needy children program.

Unemployment does have a direct impact on the general relief load and accounts for the rather sharp upward and downward trends in cases aided. There is a direct relationship between general relief case loads and seasonal employment conditions, this being particularly true of those counties with a rural economy. It also accounts for a general rise in the average monthly general relief cases over a period of years which trend was recently reversed with acceleration of employment due to the defense preparedness program.

Illustrative of the composition of general relief cases is the following data included in an analysis of the Contra Costa County case load during March, 1950, which month is generally a peak load month at which time the proportion of employables would be greater than during other periods of the year due to seasonal unemployment.[1]

Total general relief cases	1,609
Total family cases	1,131
Total single-person cases	478

	Family cases	*Single-person cases*
Fully employable	736	6
Partially employable	62	25
Physically unemployable	158	322
Socially unemployable	177	125

Forty-six and one-tenth percent of the total cases were considered as unemployable and described in the report as the "hard core" of the relief load. This percentage was during a month in which the proportion of employables could be considered to be at a seasonal peak.

The general relief program has shown definite seasonal trends, but until recent months the total cases were gradually increasing since the end of the war. March is normally the peak month of the year, and in September case loads are generally lowest because of seasonal employment factors. The following table shows the trend in the program over recent years:

General Relief Cases, Average Grants, and Total Expenditures for Months Indicated

Month	*Total cases*	*Total persons*	*Families*	*Average grants* *Family cases*	*One-person cases*	*Total expenditures*
December, 1947	24,970	54,977	10,700	$64.36	$33.10	$1,160,938
December, 1948	32,229	74,878	14,673	68.00	34.42	1,602,074
March, 1949	43,151	112,879	22,463	66.40	33.25	2,179,508
July, 1949	35,951	89,029	18,457	65.91	34 03	1,811,694
September, 1949	36,950	91,525	18,864	71.89	34 13	1,991,496
December, 1949	40,082	96,920	19,680	65 10	34.77	1,990,577
March, 1950	57,060	145,755	29,857	57 37	34.36	2,409,982
July, 1950	37,741	75,501	13,440	64 13	35 19	1,717,019
September, 1950	32,192	55,969	9,224	60 20	36 27	1,388,458

The sharp reduction in family cases between March, 1950, and September, 1950, is attributable to both the improved employment condi-

[1] Contra Costa County Survey of County General Assistance Program, California Taxpayers Association, June, 1950.

tions and to the fact that many family cases that would be under the general relief category prior to October, 1949, are now classified under the aid to needy children program. The general relief family case loads from December, 1949, on would have been substantially greater if the eligibility base for the aid to needy children program had not been broadened.

It will be noted that the one-person cases increased steadily to a peak of 27,203 in March, 1950, and that they have not declined from that point in anywhere near the proportion of the family cases. This may illustrate that improved employment conditions were responsible for only part of the drop in family cases (transfers to aid to needy children accounting for the remainder) and that there are a smaller proportion of employable persons on the general relief single-person case load.

The table also reveals rather sharp fluctuation in the average grant per family whereas there has been relative stability and a progressive increase in average payment per single-member case.

The responsiveness of the general relief program to economic conditions appears to have a direct relationship to policies of providing such help in the individual counties. Such policies appear to be less restrictive in terms of eligibility and more liberal in relation to assistance grants in periods of relatively good economic conditions when general relief loads are lowest. As the financial pressures of increasing case loads arise, there is a tendency in many counties to make the programs more restrictive and to reduce assistance grants in order to keep total costs down. Thus, there is a process of constant adjustment in eligibility requirements and standards of assistance, providing less help when economic conditions in the locality increase the need for help. Local financial ability tends to be lowest where needs are greatest. Poorer counties are unable to provide for the same measure of adequacy in assistance to the needy as the more prosperous ones. Those counties faced with heavy off-season unemployment may experience greater proportionate welfare problems than others.

The result of this great variety of programs in which different eligibility tests and standards of assistance apply is that people with similar needs are treated unequally throughout the State. Especially is there evident inequality of treatment between those protected under the federal-state-county categorical programs and those relying upon general relief for financial help.

Over the past, through the establishment of special categorical programs certain groups of persons have been transferred from the county indigent aid to state-wide assistance programs designed for specific groups. In turn these categorical programs have themselves been gradually liberalized, while most general relief programs have not, making for considerable contrast in aid provided.

When in 1949 the aid to needy children eligibility provisions were broadened, a large number of families that formerly would have been subject to county general relief became eligible for the more adequate assistance under the state-wide program. If a special category for the permanently and totally disabled is established to take advantage of federal funds available for this group, another segment of the general relief load will be transferred over to a program operating under uniform

standards throughout the State. Elimination of the residence and citizenship requirements under old age security would transfer over another large block of general relief recipients.

The piecemeal transfer of all groups of needy individuals from general relief to state-wide programs geared to the limitations placed in the Social Security Act for federal financial participation would still leave in the indigent aid program a large block of unemployable persons such as the chronically ill and temporily disabled and would not solve the basic problem although relieving the counties of financial pressures that tend to cause restrictive eligibility determination and relatively low assistance grants.

A basic need is to secure some uniformity in the general relief program so that needy persons throughout the State may receive equal protection and to provide it on a basis of adequacy that has closer relationship to the assistance standards in the state-wide programs. The essential criteria for determination of eligibility should be economic need and the relief afforded should be adequate to relieve such need on a basis consistent with requirements for standards of decency and health.

This can be accomplished through activation of legislation already in being, with the State sharing in the costs of the program and establishing basic policies and supervision to provide for uniform treatment of persons in need.

General relief does present some separate problems because of the characteristics of the individuals or families involved. While a large portion of those receiving such aid are in circumstances very similar to those individuals and families aided under the categorical programs, a general relief program normally involves many persons who may be fully employable or more nearly so than would be true of those qualified for aid under other programs.

No data are available as to the characteristics of the general relief recipients. However, in view of the restrictive eligibility policies and in light of experience in other states, it can be safely assumed that the great proportion of those receiving general relief in periods of normal employment and business activity are persons who are either temporarily or permanently disabled or otherwise unable to work. During periods of high unemployment, including seasonal unemployment, the percentage of employables on the general relief rolls will increase.

The fact that some employables are in need does not alter the basic considerations for the manner in which economic need should be met, but does call for certain techniques in administration through application of a work test as part of the eligibility determination. This employability is a resource to the individual that should be used for self-maintenance, if the employment to do so is available. If no employment is actually available, and economic need exists, the individual or family is entitled to the same consideration as other needy persons.

Data available showing actual average cost per case, or per person, is misleading and cannot be compared with average costs in other programs as evidence of the difference in standards applied to general relief and other programs. This is because many general relief cases may receive assistance for only very short periods of time, less than a month, and because in most instances where employable persons are involved average resources will be greater than found in other programs.

Because of the greater portion of employables and temporarily unemployable persons normally found on general relief rolls, there also are usually differences in total need as compared with persons or families totally unemployable. In most cases, these general relief persons will be in need of assistance for shorter periods of time and will have more accumulated resources available to partially support themselves. In states where the same standards of assistance are applied to general relief cases as to those under the aid to dependent children category, it is found that the average payments for general relief are lower because of these greater resources available.

Other than the emphasis that must be given to determination of employability and availability of work, the differing resources available to these family cases, and a normally higher turnover of cases because of relative short-time eligibility, general relief presents no different problems than other programs for the administrative agencies, except in periods of acute economic distress. In those periods in which there is large-scale unemployment, special programs may be required because of the large volume of employable persons unable to find gainful work.

The Relief Act of 1945

This act has been in effect since September 15, 1945, providing for state financial participation in the general relief program. While reserving actual administration to the counties, it provides for state supervision, with standards for determining eligibility and the amount of assistance to be established by the State.

The act is not operative, its provisions being suspended until there is a finding of the occurrence of an economic emergency by the Senate and Assembly and the Governor.

It provides for state participation in direct and administrative costs on the basis of a formula which becomes operative when county expenditures for general relief exceed eight one-hundredths of 1 percent of the total assessed valuation of property subject to county taxation. State participation is graduated upward from 80 percent to 95 percent, dependent upon the rate of county expenditure in relation to assessed property valuation.

Assembly Bill No. 62, 1950 First Extraordinary Session, sought to activate the Relief Act by repealing Section 28 which suspends its operations until finding of the economic emergency, and to amend it in certain particulars including changing the financing formula to a straight 80 percent state, 20 percent county sharing formula not dependent upon the relationship of county expenditures to assessed property values.

The Relief Act of 1945 provides that the department shall by rule and regulation establish standards of eligibility for uniform application throughout the State. It would also fix maximum and minimum relief budgets for each county, the boards of supervisors being enabled to establish their own policies within the ranges of the minimum and maximum budgets.

The law provides that all budgets and standards "shall be based upon need and minimum budgets shall be sufficient to maintain the recipient and his dependents in accordance with minimum living requirements" as set forth in a very general way as "compatible with decency and health."

The purpose of minimum and maximum budgets is not clear. There should be a presumption that any budget established would be on the basis of a minimum "compatible with decency and health" and there does not seem to be any need for attempting to establish two types of budgets since it is generally not intended that relief budgets exceed the amounts necessary for "decency and health."

This very general standard places upon the department the actual responsibility for determining the standards of assistance. However, this responsibility will be affected by whatever appropriation might be made. In effect, the Legislature itself assumes responsibility for determining the standard of care through the making of the appropriation, since the amount of funds made available limit the discretion of the administrative agency in the establishment of standards.

Both the Relief Act and Assembly Bill No. 62 provided that if recipients were not residents of the specific county, but of the State, that the total cost of care be paid by the State. Such provisions only complicate administration, making it necessary to determine county residence in all cases and involve special financial and reporting transactions. Since under the bill the State would be taking over the greater portion of county general relief costs, the imposition of a county residence requirement would not seem justified in terms of whatever protection it might be considered to offer a particular county. It would, however, increase the costs of administration although not affecting the total cost to the taxpayers as a whole of paying the aid to the recipient.

Should the Relief Act of 1945 be activated through the finding of an emergency, or through passage of legislation such as provided by Assembly Bill No. 62, there is raised the question of the method of financing the program and the basis upon which appropriations will be made

To our knowledge there is not available data upon which a sound determination of probable cost per case under a state-wide program can be made. Although the Relief Act has been on the statute books for many years, no studies have been made by the Department of Social Welfare of standards of assistance in the counties and potential cost factors in a state-wide program. Whatever figure might be proposed at this time would be a guess, and the extent to which it could be considered an "intelligent" or "educated" guess is questionable because of the absence of detailed information and evaluation of the programs in operation. Three methods of appropriation are possible:

1. Closed Appropriation. Such a lump-sum appropriation would be based on total estimated persons to be assisted times the estimated cost of assistance per case. In making such an appropriation the Legislature would satisfy itself of the reasonableness of the estimate of the number of persons to require aid and in effect set a standard for aid by appropriating a specific sum to meet the needs of those persons.

Estimates of potential case loads are hazardous, particularly in a general relief program sensitive to changing economic conditions. Should they prove too low, the administrative agency must either reduce the standard of care for all or incur a deficit, or both. Should they prove to be too high, the administrative agency has the opportunity of increasing the standard of care or of carrying a surplus in the appropriation.

The major advantage in the closed appropriation is that the Legislature knows definitely what it has budgeted for this purpose. It is possible to set up a contingency appropriation for use in the event that the case load estimates prove too conservative, or subsequent appropriations may be made in special or annual session to cover such deficits.

This type of appropriation places a specific responsibility on the administrative agency to carefully define and administer eligibility requirements to minimize the number of persons entitled to aid, which influence is not directly felt in an open-end appropriation.

It also enables the Legislature to leave with the administrative agency greater discretion in establishing standards, making that agency accountable for administering the program within the funds appropriated.

2. Open-end Appropriations. Such appropriations are on the basis of a certain amount of money for each case found eligible for aid. It provides maximum protection to the administrative agency since it is assured of funds for each case approved and the Legislature accepts full responsibility for setting the maximum standard of aid.

In the A. N. C. program the Legislature has by appropriation set a ceiling on individual family payments based upon the number of children. This has its limitations since the appropriation base discriminates against the smaller sized families, and has necessitated supplementation with county funds to meet the needs of these families.

In proposing legislation for the disabled category at the Third Extraordinary Session, 1950, the Department of Social Welfare proposed that the appropriation be on the basis of an average cost per case, thus placing upon itself the responsibility of administering the program so that the total costs for all cases would not exceed the average amount or limitation established by the Legislature. This method provides flexibility in meeting the needs of individuals with varying circumstances.

Certain problems are presented in the general relief category. Both family and single person cases must be considered. Normally the requirements of a person living alone will be greater than for the member of a family because in the latter case certain costs of maintaining the household are pro rated over all members. The appropriation (regardless of which method is used) must thus recognize the varying costs of family and single person cases and their proportion to the total load.

No specific suggestions are made at this time for the method of appropriation or the cost per case basis to be used. These are matters in which the administrative agencies should participate directly and upon which they should furnish data and justification to the appropriate legislative committees.

Cost Implications

Some indication of the effect of the proposed state-county sharing in costs proposed under Assembly Bill No. 62 can be shown by use of actual costs of the program for the Fiscal Years 1948-49 and 1949-1950.

	Actual expenditures	*80% state share*	*20% county share*
1948-49	$22,254,643	$17,803,716	$4,450,827
1949-50	27,586,973	22,069,578	5,516,395

The county taxpayers paid the total cost during the years. If the formula proposed by Assembly Bill No. 62 had been in operation, the State would have assumed four-fifths of the costs of assistance.

It seems safe to assume that total costs per case will increase under a state-wide program with uniform standards of eligibility and assistance grants. The more restrictive eligibility requirements of some counties would not be applied under state regulations and cost standards based upon requirements for "health and decency" would certainly raise the average cost per case. These are matters that need to be considered in determining the basis for appropriation for a uniform general relief program and upon which the State Department of Social Welfare will need to provide specific data and estimates.

It needs to be recognized that if the State is to assume the major role of financing the program, it should also assume direct supervision of the program, in relation to establishing the standards of eligibility and standards of assistance as well as evaluation of the manner in which these standards are administered by the counties.

VII. ADOPTION PROGRAM

The staff has not made a specific study of the adoption program. In the spring of 1950 a state-wide Citizens Committee on Adoption of Children in California, supported by two private foundations, was organized to conduct a two-year study of all phases of the adoption program in California. This committee has associated with it 11 county adoption committees which are participating in the studies.

The work of the state-wide citizens committee is outlined in the following letter from the chairman of that committee, dated November 10, 1950, in response to an inquiry as to the scope of the work of the citizens committee:

"At the present time the Citizens Adoption Committee is in the process of studying through its state body, as well as through the 11 county committees associated with it, the various problems related to placement of children for adoption and the different points of view and criticisms relating to the present adoption practices in this State—all in an effort to determine what the state-wide community of California considers to be, and will support as, a sound adoption program.

"The Citizens Adoption Committee is certain that there are no simple answers to the complicated problems that are involved in the placement of children for adoption. There are many factors to be weighed and balanced. The interests of three different groups, the child, its natural parents, and its adoptive parents, must be served, and the necessary services to meet the needs of children and their parents must be created.

"The work of our committee has been divided into four parts:

"(1) We are in the process of gathering facts in a number of areas throughout the State relating to the charge that is often heard that there are many children now in foster care away from home who could be adopted readily. When this portion of our study is completed we shall be in a position to make recommendations upon which a sound program can be developed to meet the needs of these children away from home. We shall know how many of these children may be in a position to be considered for adoption, and what additional services it may be necessary to provide to serve these children.

"(2) We are making a survey of the program and facilities for the care of unmarried mothers in the different areas throughout the State,

since so many of the children who are adopted are given up by unmarried mothers, to determine the adequacy or inadequacy of such programs, facilities and services. Your committee has already heard testimony from our Los Angeles County committee supporting the care for the unmarried mother and her child under the provisions of the aid to needy children program.

"(3) The committee is considering adoption agency practices in an effort to evaluate the protections and services offered through adoption agencies, and to explore popular criticisms of agency methods and proceedings. We are cognizant of the fact that the 1947 Legislature enacted into law provisions which made it possible for counties to establish public supported adoption agencies. Since that time 11 public adoption agencies have been created as part of the welfare departments, and, in addition, privately supported adoption agencies have increased from two to six in number. Most of these agencies have only now begun to work. While there is not enough material to fully evaluate the services of these new agencies, it is already quite evident that the creation of these new agencies alone has opened the way to offer greater protection and are to a greater number of children, as well as parents who are seeking to give up or take on parental responsibility.

"(4) The committee is also considering independent adoptions to gather facts necessary to evaluate the protections or lack of protections which are presently provided when individuals arrange for the placement of children without the aid of adoption agency services. Our committee is aware that in the recent war and postwar years independent adoptions rapidly increased because adoption agency facilities were not available in sufficient quantity. Many of these independent adoptions have been and are being arranged by individuals operating outside the present law, which prohibits the placement of children for adoption by other than agencies licensed by the State Department of Social Welfare. There is substantial evidence of the human tragedies that result from hasty, ill-planned adoptions where these individual arrangements lack the proper safeguards which agencies are able to provide. In this connection it is interesting to note that 23 percent of these independent adoption petitions are either dismissed prior to hearing in court or are recommended for denial by the State Department of Social Welfare, which would seem to indicate that something is basically and fundamentally lacking in the present practices concerning independent adoptions.

"It is entirely possible that our committee, upon the conclusion of its work some months hence, may have positive legislative recommendations in some or all of the areas above set forth. However, it is felt that our present over-all adoption statutes are fundamentally and basically sound, and that the greatest need at this time is the developement of an understanding and evaluation on the part of the citizens of the State of our existing laws in the light of the protections provided, facilities established, and services created thereunder. In the absence of such understanding and evaluation, amendments to the present adoption law which create an illusion of affording greater protection to one or more of the parties involved in an adoption might in fact jeopardize the whole framework of laws and the pattern of services and facilities created as a result of years of experience.

"We feel, therefore, that legislative consideration of any major or fundamental changes in our existing adoption laws should be deferred until the completion of a comprehensive study and review of all aspects of our present adoption program, practices and procedures, such as is planned by our committee. Upon the completion of such study it is hoped that a state-wide community understanding will have been created which will not only support but demand such legislative changes as may be necessary to the development of a sound and adequate adoption program in this State.

"Our committee will be prepared to present its findings and recommendations at the conclusion of its study, and will be happy to meet with members of your committee at any time to jointly consider the problems in this field and their possible solution."

A complete and comprehensive analysis of all facets of the complicated problems that are involved in adoptions is in process and the results of the work of these citizens groups should be available before consideration is given to legislation that would materially affect the present adoption laws and their administration.

This is a matter that should be a subject for later study by the appropriate interim committee, utilizing to the fullest extent the work being carried out by the state-wide and county citizen committees.

VIII. ADMINISTRATION

It has not been possible to conduct a specific study of administration of the social welfare program at the state and county levels. An intensive and detailed study of the many administrative problems is needed. A number of observations can be made to illustrate problems involved, some of which are brought out in other sections of this report.

Sound administration is as important as sound legislation. The best welfare legislation is fully effective only to the extent that its administration is effective. The manner in which day to day operations are executed at every level, from the policy and supervisory functions to the contact with applicants and recipients, has considerable influence on the over-all effectiveness of public assistance laws and the total costs of providing aid to needy persons.

Any activity that deals primarily with people presents complex administrative problems, and particularly so a public welfare program. Administration of these programs is further complicated by the participation of the three levels of government, federal, state, and county, and by the manner in which the laws in California have been developed.

Analysis of administration of the California social welfare program must cover not only the basic framework through which the programs are conducted, including the areas of responsibility delegated by the Legislature to the State and the counties. It must also include a comprehensive analysis of the effectiveness with which these duties and responsibilities are being carried out; qualitative and quantitative evaluation of performance at all organizational levels; and study of the administrative machinery and the procedures for accomplishing the work as a basis for determining how it can be more effectively and efficiently conducted.

A. GENERAL AREAS OF RESPONSIBILITY

The Federal Social Security Act requires as a condition for receiving federal funds that those assistance programs in which the Federal Government directly participates be in effect in all political subdivisions of a state. There must be a single state agency to either administer the plan or to supervise its administration.

California has adopted the system of state supervision with actual administration by the counties. Thus there is given the State Department of Social Welfare the duty to establish policies, rules and regulations as necessary to carry out the statutes and to require compliance with them. The county governments are responsible for actual administration, being bound by the policies laid down at the state level but otherwise not responsible to the state department.

Effectiveness of this method of administration has been questioned and debated at length. It presents some exceptionally difficult operating problems, and particularly so when the planning or policy making agency has only limited control over the actual execution of policy. It presents other problems in attempting to fix responsibility or accountability for operation of the programs.

There appears to be considerable variation in the quality of administration between the 58 counties. These variations make it impossible to achieve uniform application of state-wide policies throughout the State.

Much of the energy and time of the state department appears to be taken up in negotiation or outright argument with the county governments, collectively or individually, with respect to initiation of policy or its application.

This split responsibility makes it exceptionally difficult to achieve sound and progressive administration. While policy formation is a function of the state department, it has in a practical sense only limited control over and supervision of the execution of that policy.

B. LEGISLATIVE PROBLEMS

Other than the basic problem of administrative responsibility and authority as set forth in the laws, the provisions of the code are of such detail that in many respects they themselves complicate the administrative process. Other sections pertaining to certain eligibility factors contribute to high administrative costs that may not be warranted by results attained.

It has been the practice of the Legislature to write organizational structure as well as procedural detail into the laws. For example, the code (Section 111) designates the administrative divisions to be established in the state department. Some of these detailed provisions are undoubtedly designed to correct situation that have arisen in the past, but a question may be raised as to whether the proper manner for making such correction is through the statutes themselves or through the administrative arm of the government, if necessary under legislative initiative.

There are a number of specific requirements in the code that have the effect of increasing administrative costs, for example:

1. The procedures established for determining liability of responsible relatives appear to be costly. If such procedures were not fixed in law, it is probable that the same or better results could be attained with much less administrative costs.

2. Determination of county residence is required even though this is not an eligibility factor. Such residence is used to determine whether the counties shall pay a share of cost of assistance, or whether the full cost is to be borne by the State. Determination of residence is a time-consuming and costly process, and the financial procedures necessitated by the different method of meeting total cost are also expensive. In view of the general formulae for sharing costs between the State and counties, and the cost of determining residence, this whole procedure appears of doubtful value.

3. Requirements, such as established in the old age security program, make it necessary to determine citizenship in all cases. This again is a costly administrative process.

4. Code provisions and state department regulations requiring board of supervisors approval of all applications is another questionable procedure. In addition to the administrative costs involved, this procedure actually delays the processing of applications and payment of assistance. In many instances it involves a loss of federal funds. In most cases board approval is an automatic process, based on the recommendation of the county welfare director. Since the county welfare director is responsible to the board, it would be as effective to authorize the boards to delegate approval of cases to their county directors and thus simplify the administrative process and speed up approval of applications.

C. STATE SUPERVISION

In many respects, state supervision appears to have been weak although there have been evidences of strengthening state administrative organization in recent months.

The many deviations in application of state policies at the county administrative level have caused the Federal Government to criticize the state department for failure to fully assume its supervisory functions.

There has not been detailed evaluation of the application of policy, and the state department does not have sufficient knowledge of the actual workings of the program at the county level.

Research, particularly in testing and evaluating operating problems and revealing variations in practice at the county administrative level, has been deficient.

D. COUNTY ADMINISTRATION

Since there are 58 separate county administrative organizations they present a great variety of problems. Administrative costs are borne by the counties, and state supervisory authority is limited to those factors that directly affect the application of state policy.

One of the basic requirements of the Federal and State Governments, is that each active assistance case (other than general relief) be reinvestigated annually. These reinvestigations are extremely important from a cost point of view since they test continuing eligibility as well as changes in circumstances that might affect the amount of payment.

Variation in compliance with regulations and effectiveness in administration are shown by the following analysis for a recent month of these overdue eligibility reviews:

Old Age Security—Twenty-one counties had over ten percent (10%) of reviews overdue. The range was from 1 percent to 54

percent. Many of these reinvestigations were overdue for as long as six months.

Aid to Needy Children—Fifteen counties had over 10 percent of cases overdue for reinvestigation. Fourteen had over 20 percent and one had over 50 percent overdue.

Aid to Needy Blind—Twenty-five counties had over 10 percent overdue. Eight counties were overdue on eligibility reinvestigation for 10 percent of the case load in all three of the programs.

This is strictly an administrative problem and was characterized by the federal security agency recently as the most serious problem in connection with administration of the eligibility provisions of the programs.

Staffing is a key factor in public assistance administration, both in terms of quality and quantity of staff. There is a direct relationship between adequacy of staff, if well directed and supervised, and total costs since staffing affects the quality of investigation of need, both initially and continuing, and the determination of resources and providing help to persons to become self-sufficient.

However, there is no adequate data readily available as to the average work loads carried by case workers in the various counties, although it is known that these loads vary considerably.

It has also been noted that there are many questionable procedures practiced which affect administrative costs and the use of staff for more productive effort.

In one county with a relatively low ratio of cases per worker, home visits in connection with new A. N. C. applications are frequently delayed three or four weeks. In this county each worker is out in the field only one day per week. This obviously reflects extremely poor use of personnel.

In many counties delay in action on new applications is due to routines which not only delay action but greatly increase administrative costs. In some offices it is the practice to routinely conduct property searches or bank clearances on all cases. The paper work and staff time, not only of the welfare office but of the county clerk and the banks, is considerable. Administrative analysis and determination of the results of such routine procedures would undoubtedly indicate that it is an extremely expensive process.

E. NEED FOR PROCEDURAL ANALYSIS AND CONTROL

Because of the great diversity of administration and the independent development of procedures and forms in all jurisdictions as well as the apparently complicated processes included in financial transactions, there is need for intensive administrative analysis. The purpose of this analysis should be to establish more uniform practices with maximum simplification of procedures so as to reduce operating costs and free staff for more productive functions.

Similar analysis of administrative policy and its implementation is needed. There appears to be need for detailed attention to reducing costs through work simplification and examination of procedures and regulations from a cost accounting viewpoint.

As an example, in the course of examination of certain case records it was noted that the actual assistance payments to the recipients were in even dollars. It was found that general practice under the A. N. C. program, except for five counties, was to round off the payment to the next highest dollar. This practice was questioned and brought to the attention of the state department which subsequently issued instructions that aid payments should be in exact amounts rather than being made at the next higher whole dollar amount.

In all A. N. C. cases in 53 counties, and in the 35 percent of all aged and blind cases where the flat-grant is not in effect, this minor change in policy should reduce costs $50,000 a month and probably more.

It is pointed out to illustrate the importance of careful analysis and scrutiny of all administrative policy and procedure with a view toward reducing costs.

In this report it is also pointed out that California is losing federal funds by delays in processing applications by county offices. This again illustrates the need for review of procedure so that costs to state and county taxpayers can be reduced.

While this report is critical of administration of the program at both the state and county levels, in fairness it should be pointed out that in recent months there have been many evidences of progress, especially at the state level. The basic administrative problems are of long standing, and corrective action cannot be accomplished quickly. There has been in process an administrative reorganization of the state department and re-examination of many policies and practices that should substantially improve the administrative and supervisory processes when they become fully effective.

The state director has been receptive to suggestions for improving administration of the programs. He has demonstrated a willingness to secure objective criticism and findings of administrative deficiencies and a desire to secure correction and strengthen operations.

F. RESTATEMENT OF LAWS

Code sections pertaining to each of the individual programs have been developed to provide detailed requirements and processes for the individual programs. There are many factors common to all programs that could be made uniform and placed in one portion of the code rather than having them repeated with perhaps minor variations in wording, in the separate sections.

A simplification and reorganization of the code would facilitate the work of the administrative agencies as well as clarify the laws. Greater uniformity in basic legal provisions such as those pertaining to administration, determination of residence, fraud, resources, appeals, etc., can be achieved and these basic requirements for all programs organized into one section of the code.

Simplification and recodification of the public assistance laws should be undertaken as early as possible. Insofar as practicable, provisions for all programs should be uniform with specific legislation for the individual programs being confined to those matters in which the character of the group involved or other circumstances makes it necessary to establish different legal requirements or standards.

SUMMARY OF PUBLIC HEARINGS ON SOCIAL WELFARE PROGRAM

SAN DIEGO—AUGUST 9, 1950

Mr. Charles Schottland, Director, State Department of Social Welfare

Mr. Schottland explained that he did not have a prepared statement and appeared for the purpose of outlining the general social welfare picture and some plans of the department.

He referred to certain items of noncontroversial legislation which the department plans to propose:

1. To provide authority to destroy obsolete records since no such authority now exists because of Article 27.

2. Simplification of procedure concerning responsible relatives to eliminate notarized statements where relatives are not liable for support.

3. Delegation of responsibility by boards of supervisors for approval of assistance cases to avoid excessive delays in processing approved cases for payment.

Mr. Schottland stated that California is now largest of all states in public welfare expenditures. Expenditures are now close to thirty million dollars a month; nineteen million for old age security, six million for aid to needy children, two million for general relief, eight hundred thousand for aid to blind, plus administrative and service costs.

He reviewed plans for administrative reorganization, including establishment of five decentralized regional offices, three of which have been approved by the Division of Finance. Working relationships with the counties have been analyzed and the department is decentralizing as much as possible to reduce expensive procedures that have been in effect. Auditing and accounting operations are being combined in a Division of Financial Administration. He referred to a handicap in establishing administrative organization because of the detailed requirements of the law.

Old Age Security—There has been a decrease in applications over the past year. Applications for the month of June of each year were 1948, 4,181; 1949, 8,442; 1950, 3,629. He explained this decrease as due to the fact that the number of persons receiving assistance per 1,000 over 65 years is now greater although California is not above the national average; and the influx of persons into the State has receded.

Blind—This has not changed substantially in the past two years.

Aid to needy children—There has been a sharp rise in numbers of persons receiving aid and in costs. Applications rose from 3,639 in June, 1949, to 8,201 in June, 1950. Expenditures have doubled for the same period. This increase was attributed to the liberalized law passed in 1949, to population trends, and to the unemployment trend He stated that 30 to 31 children per 1,000 children under 16 are receiving assistance in California against a national average of 33 per 1,000

Mr. Schottland expressed a belief that the facts on this program have not been clearly presented and stated that his department is doing research to obtain the facts. He referred to the pressures on the counties because of increasing costs and the fact that there is nothing much that can be done about costs for the aged and because general relief costs are relatively small, persons wanting to protest the increasing welfare costs

have found the A. N. C. program the easiest to attack. He asked that judgment be reserved until the facts are ascertained.

Commenting on claims that liberalization of regulations by the state board are responsible for increased costs, he pointed out that the law was liberalized and that the board could not be expected to take a position of passing restrictive regulations in the face of legislative action liberalizing the program. He also pointed out that the counties transferred a large volume of general relief cases over to the A. N. C. program and that general relief costs have not gone up.

Other factors outlined were the sharp slump in employment starting in October, 1949, A. N. C. being closely related to unemployment; and the expiration of benefits for a large number of veterans under the veterans re-employment benefits program, also coinciding with the liberalization of the law.

Mr. Schottland stated that the amount of payment per family has dropped to an average of $110.63 in June, 1950.

HR-6000—He outlined major provisions of federal legislation expected to pass Congress soon liberalizing the Social Security Act. A state could provide exemption up to $50 in income of blind persons, this already being provided in California law. Payments under the old age and survivors insurance program would be increased materially, resulting in larger deductions from the grants of old age security recipients. He estimated savings to the State of $4,500,000 because of the liberalization of the old age and survivors insurance program.

Provision permitting federal matching of funds for inmates of public medical care institutions will require legislation in California to take advantage of the additional federal money.

The Federal Government would reimburse the State an additional $16.50 for the caretaker in the A. N. C. families.

A new category of permanently disabled persons is provided for which will require state legislation if California is to take advantage of federal funds to be available. He estimated that this might affect one-third ($\frac{1}{3}$) of the general relief cases now financed by the counties. The bill would provide federal aid up to $30 per case.

Mr. Julius Rainwater, Director, San Diego County Department of Public Welfare

Mr. Rainwater submitted a written statement. He spoke primarily to the following points:

1. Old Age Security—Out-of-state Payments. A limit should be placed on the length of time a recipient should be permitted to reside in another state and secure assistance from California. He suggested the limit be the length of time required to obtain residence in the other state. At present he said intent must be coupled with physical presence to establish such residence for purposes of the California program.

2. Citizenship, Old Age Security. He pointed out that citizenship is not a requirement for other forms of aid and that the counties must carry long-term residents on the general relief rolls because of this restriction in the aged program. He said this requirement increases administrative costs because of the need to check citizenship of applicants. He estimated 100 such cases are on the San Diego County general relief load.

3. Legislation or regulation to permit restrictions on payments to incompetent persons, alcoholics, etc.

4. Responsible Relatives. Recommended complete removal from law. Stated amount of money received because of the law is nil and that the law is useless. Referred to a survey in the Oceanside office showing of 1,020 relatives contacted only about 2 percent made a contribution under the law. Stated the amount realized by this law does not cover administrative costs of securing it but creates considerable ill will.

5. Aid to Needy Children. Spoke favorably of present law. Stated the problem is administrative and that more staff is required because it is a "fast-moving program," and that there must be vast improvement in county administration.

In response to questions concerning fraud, Mr. Rainwater indicated that the laws might be tightened up and that there is not uniform treatment of such cases by the district attorneys.

Mr. William P. Mayer, Assistant Director, San Diego County Department of Public Welfare

Mr. Mayer stated that more support is needed from district attorneys in taking action against fathers who desert their families. He also recommended strengthening of the laws relating to the licensing of boarding homes for the aged and children. He stated that some homes are mistreating aged persons but that no positive action can be taken against them. He explained that where there are questions of jurisdiction, as to whether a home is a school or an institution for care of children, the home will claim to be a school at one time and an institution at another as a subterfuge to avoid the licensing authority. He also stated that there is lack of cooperation from the licensing agency in the revoking of licenses.

Mrs. Carol Doolittle, Supervisor, Child Welfare Division, San Diego County Department of Public Welfare

Mrs. Doolittle spoke of the problem of providing care for mentally deficient children because of lack of institutional facilities. She was particularly critical of the foster home program under the Department of Mental Hygiene, stating that the department is not staffed to do an adequate job of finding and supervising homes. She felt that one of the answers to the inadequate institutional facilities was a strong foster home program.

Mrs. Doolittle stated there is a list of 130 applications for admission to Pacific Colony Home pending in the county. Fifty-nine such children are known to the Public Welfare Department, 45 of them receiving financial aid and another 14 receiving services only. Sixteen of these children have had applications filed with Pacific Colony Home.

In a supplementary written statement, Mrs. Doolittle stated that 33 of the children known to her department are in their own homes and that 13 of these are creating definite problems in relation to the health of the mother or other children or are not receiving adequate care. In 14 other cases, there is a question of the potential effect on the normal children in those homes. Four others are creating problems in the community and probably should have institutional care.

Mrs. Doolittle suggested the committee work with the State-Wide Committee on Adoptions. She questioned the adequacy of county staffs

to carry out the adoption program, stating they were receiving a higher percentage of children to place.

Mrs. Jane Carnegie, Supervising Social Worker, Rural Unit, San Diego County Welfare Department

Mrs. Carnegie outlined certain problems of providing medical care for persons living in rural areas. She said some of these people were as far as 150 miles from clinics and that no mobile dental clinic was provided in the county.

Mr. Lawrence Pohle, Welfare Counsellor, California Institute of Social Welfare

Mr. Pohle emphasized the need for protection of children and meeting their needs regardless of the acts of parents.

In reference to the old age security program, he advocated repeal of the citizenship requirements which he stated inflicts hardships. He recommended modification of residence requirements so that long-term residents of the State could return and within a year gain their state residence for assistance purposes. He also advocated repeal of the responsible relatives law. In this connection he pointed out that the children of the recipients are actually paying for their parents pensions anyhow.

Mr. Pohle suggested amendment of Section 2165 of the code relating to real property of the husband and wife, to provide for a separation of such property if it can be proven that it had been the spouses for many years and the spouse had a legal claim to it.

Mr. Douglas D. McElfresh, California Optometric Association

Mr. McElfresh outlined a cooperative program with the Junior Red Cross, Lions Club, and community welfare office, under which optometrists are volunteering services and materials for visual correction and glasses for needy children.

Mrs. Mary E. Wessell, an Individual

Mrs. Wessell read a prepared statement to the committee, covering the aid to needy children program.

She recommended action be taken to make stepfathers responsible for support of stepchildren, at least to half of their income. She felt that some stepfathers might be claiming stepchildren as dependents for income tax purposes, although not supporting them, and that welfare records should be available to tax collection agencies for checking.

In connection with real property under which property with assessed value of $3,000 or less is exempt, she pointed out that encumbrances on such property are deducted from the assessed valuation in applying the $3,000 limit. She felt this encouraged families to go into debt or to borrow on property to purchase luxuries.

She referred to women living in common-law relationships or mothers of illegitimate children, suggesting that such women should not have custody of their children.

She referred to other possible abuses, such as persons working nights or connivance between husband and wife whereby the husband would be represented as being absent from the home, and asked that these abuses be investigated. (In questioning Mrs. Wessell was asked to submit names to the committee so that actual cases could be investigated and stated she knew of two cases and would furnish these names to the chairman.)

Mrs. Wessell recommended that desertion be made a federal offense and adequate punishment be provided for fraud.

She also recommended that one-half cent of the sales tax be returned to the counties.

San Diego Taxpayers' Association—Letter to Committee

The association was not represented at the hearing but submitted on August 8th a letter to the chairman with attachments of letters to the Board of Public Welfare of San Diego, dated March 22, 1950, and letters to the board of supervisors dated May 9 and August 3, 1950.

In its letter the association expressed the belief that welfare programs had gone beyond the concept of "amounts which will carry the recipients over difficult periods" for those in "genuine need." Suggestions set forth in the materials submitted were as follows:

Old Age Security—Questioning legality of payments to recipients living outside the State.

General Relief, County—Stricter standards for eligibility and amount of payment; ceilings on amounts granted to families; reduction of all payments by 5 or 10 percent; review of all regulations to reduce discretion in individual cases; more frequent pricing of commodities and immediate adjustments accordingly; development of employment techniques and practices to reduce load; inventory of all cases to determine extent to which are covering expensive commitments of recipients; re-evaluation of philosophy to determine if it is promoting dependency rather than rehabilitation.

Aid to Needy Children—Review county practices in determination of eligibility for aid in effort to reduce number of cases.

Finances—Referred to "failure of the State Legislature to remove at least a part of the burden of the aged and blind programs from the shoulders of the counties." Recommended county budget be cut, including welfare costs (particularly general relief) to avoid increase in "already * * * excessively high property taxes." Stated county's assessed valuation per capita of $816 compares with state-wide average of $1,233, placing San Diego County fifty-fourth among the 58 counties in ability to pay.

California Congress of Parents and Teachers, Inc.

The chairman read a letter dated July 28, 1950, from Mrs. Edward T. Walker, president, stating in part:

"We are, however, interested in the aid given to needy children on public assistance and in the child care program. We would stress the importance of caring adequately for needy children. The board of managers has a special committee working now on the study of aid to needy children."

SAN FRANCISCO—SEPTEMBER 7, 1950

Charles Schottland, Director, State Department of Social Welfare

Aid to Needy Children Program. State Social Welfare Board feels that criticism of this program is not justified and that the impression that the rules and regulations for its administration are responsible

for the increase in costs of the program is incorrect. Emphasized the following points:

Average payments today are less than before the 1949 amendments; and the average per person in July 1950 was $31.71.

The dependency rate in California, for children under 18 per thousand such children, is below the national average now estimated at 34 or 35 for California and 35 or 36 for the Country as a whole.

From 1940 to 1948 the caseload in California increased only 1 percent against a national increase of 45 percent. There are now 127,000 children cared for and the increase in case load was rapid just prior to the 1949 amendments to the law. If the trend at that time were projected the case load today would be over 85,000 children

Reasons for the increase were attributed to the 51 percent increase in population for 1940 to 1950; increased marriages and births per 1,000 population; and increase of children under 18 from 1940 to 1948 of 70 percent; and increased unemployment after October, 1949.

Concerning the absent father problem, Mr. Schottland pointed out that 60 to 90 days are required for determination of eligibility of individual cases so that short absences of fathers are not a factor. He said one-third such fathers have been absent for three years or over, 30 percent absent from one to three years, 12 percent from six months to a year, and 20 percent less than six months.

Sixty-two percent of the new cases in the first calendar quarter after the 1949 amendments became effective were those transferred from the county general relief rolls. He said California does not show the increase in general relief cases common to the rest of the Country.

In answer to a question from Mr. Crowley, Schottland stated that the referral of all desertion cases to district attorneys is automatic but that the district attorneys are loath to prosecute.

HR-6000. Mr. Schottland outlined plans in relation to new legislation to take advantage of the revised Social Security Act.

The increase in old age and survivors insurance payments of 77 percent for about 70 percent of old age security recipients will enable the State to decrease grants representing a savings for the nine months beginning in October of $4,150,000 for the State and $690,000 for the counties.

The increased O. A. S. I. payments will also enable a $900,000 savings in the aid to needy children program ($570,000 State; $330,000 county).

No actual change in administration of the A. N. C. program is needed to realize savings to the State and counties through increased federal funds for the parent with whom the child is living. This is estimated at $4,200,000 for the State and $2,400,000 for the counties in savings for the nine months. However new legislation is needed to include the caretaker in the authorization for payment.

Legislation is needed to permit payments to persons residing in public institutions which will mean considerable savings to the counties. He estimated that for the nine months this would cost $4,000,000 of which $1,990,000 would be State and $331,000 county funds. However, the counties could charge these recipients for hospital care now rendered free.

Mr. Crowley raised a question as to the need for legislation to protect the recipients against the counties charging the full amount of their aid payments.

He stated that legislation similar to that in effect for the aged and blind will be introduced to cover the new permanently disabled group. He estimated that 28,000 disabled would be on the rolls by June 30, 1951. For Los Angeles County it is estimated that 7,000 persons now under the county indigent aid program or in county hospitals would be eligible.

The proposal for the disabled program would be based upon an average payment rather than a flat-grant system. He referred to the Connecticut welfare program in which 8 percent of payments are over $100 but the average is only $52 for all cases under a needs budget system.

In answer to questions from Mr. Lipscomb as to whether it might be advisable to defer legislation until further study, Mr. Schottland stated that the only way to determine what is involved is to operate such a program and that the law could be amended in the regular session next January. He estimates that the program would cost $14,000,000 for the nine months of which $8,000,000 would be state and county funds.

Mr. Schottland referred to medical problems involved in the disabled program and stated plans are to establish an advisory committee of seven persons, primarily physicians, to assist in working out these problems. Plans also provide for a review board to approve county eligibility determinations.

Robert Carlson, Sonoma County Taxpayers' Association

Mr. Carlson read a prepared statement containing the following criticism of the welfare programs:

1. A. N. C., absent fathers: Present program eases conscience of fathers who abandon families. One full year should elapse before child aid is given, in meantime if there is obvious destitution other types of aid could be granted.

2. A. N. C., stepfathers: Present legislation tends to weaken the ties of matrimony and encourage moral laxity.

3. Grants should be limited by a ceiling, particularly as they cover household appliances. Need for some household items being purchased should be questioned.

4. Aid should be granted "in kind" as much as possible rather than in cash. Referred to complaints of landlords that recipients sometimes fail to pay rents.

5. To have disabled and permanently incapacitated persons placed on welfare rolls "is an extension of social theories beyond their legitimate scope." Believes present legislation can cover needs of this group and indicated belief that plan is to provide more assistance than to meet basic needs of such persons on the basis of "comforting" disabled persons.

In discussion with committee members, Mr. Carlson indicated that old age security recipients are "riding around in cars" and that there is considerable abuse of the welfare programs. Mrs. Niehouse and Mr. Cooke requested that he submit names of individuals involved, including those who have defaulted on rental payments.

Alden C. Fensel, Director, Tax Department, California State Chamber of Commerce

Mr. Fensel read a prepared statement concerning the proposed program for totally and permanently disabled persons. He pointed out that no state has had such a program and that experience is totally lacking. He felt that proponents of the program have underestimated the numbers and costs and felt that when federal money restrictions are relieved at the end of this fiscal year and an "open pocket" appropriation is in effect for 1951-1952, the number of cases will jump to 100,000. He estimated total costs at that time as eighty-five million dollars of which the state burden would be forty-two and the county share seven million.

The board of directors of the state chamber recommends referral of the problem to an interim committee for report to the 1951 General Session.

In answer to questions, Mr. Fensel stated he was not opposed to the program but wished it studied first.

Charles Scully, California State Federation of Labor

Mr. Scully read a prepared statement in which the following recommendations are made:

1. Public assistance programs for the aged, blind, dependent children, and permanently and totally disabled persons should be state financed and adminstered.
2. The relative responsibility clause in the aged and blind programs should be eliminated.
3. The aid to needy children program should be continued intact.
4. A state program for aid to permanently and totally disabled needy should be enacted.
5. The Relief Act of 1945, providing for state aid in the county indigent aid program, should be invoked whenever unemployment warrants.

Mr. Levering questioned Mr. Scully regarding costs of the program proposed and methods of financing it. Mr. Scully stated that he would submit to the committee estimated costs of the programs proposed. He also outlined a general tax program which he stated has been proposed to another legislative committee.

Mrs. Martha Scarlett, Travelers Aid Society, Oakland

Mrs. Scarlett referred to the problem of nonresidents ineligible for county indigent aid and who present problems for the private agencies. She referred particularly to state residents who do not have county residence and the differential in the amount of assistance under the indigent aid programs and under other welfare programs. She recommended that this problem be given study.

Mr. Roy L. Driggers, Child Welfare Committee, American Legion

Referred briefly to the so-called California Academies Bill and requested support of Senate Bill No. 1176, particularly in setting up financial provisions.

California Conference of Social Work

The conference submitted a letter dated August 31st to which was attached resolutions adopted by the conference in 1949 and 1950 as follows:

Resolution VIII—Supporting H.R. 6000 to liberalize the Federal Social Security Act.

Resolution VI—Recommending a state commission be created to make a thorough review of the public welfare program; such commission including legislators, members of executive branch of government, and lay and professional citizens.

Resolution III—Opposing the initiative constitutional amendment to legalize and license gambling.

Resolution IX—Recommending establishment of psychopathic facilities and programs within county hospitals on a mandatory basis with supplementation of state funds where needed.

Director, Public Welfare Department, City and County of San Francisco

Mr. Ronald T. Born wrote the committee on August 29th that he would be unable to attend the hearing due to travel east and that he would submit a written statement at a later date.

LOS ANGELES—OCTOBER 18, 1950

Mr. William A. Barr, Department of Charities, Bureau of Public Assistance, County of Los Angeles

Mr. Barr presented a statement prepared by the superintendent of charities concerning the aid to needy children program, which included a number of conclusions based upon a survey of all aid to needy children cases in the county.

It was stated that there are two principal errors in the A. N. C. program:

1. The government in aiding children is accepting the complete responsibility for the children, whereas the basic philosophy should be aid to the family as such, recognizing parental responsibility;
2. The program encourages families to become dependent and to rely upon public funds for subsistence.

It was pointed out that less than 2 percent of children under the program are full orphans, thus 98 percent being children in homes of relatives. It was stated that interpretation by the state department indicates a belief that the child is the responsibility of the State and rules and regulations governing such aid are directed toward the child.

It was claimed that the state plan grants regularly an amount of money in excess of the actual needs of families for necessities and that the total grant is based on items of expenditure "beyond the needs demonstrated and/or, in many instances, beyond the ability of the responsible individual, namely, the parents, to earn when they are not on relief."

The statement placed existence of present conflict regarding the program upon administrative rules and not upon the law itself. "The present law is a sound and workable one that conforms with the federal statute and the programs of most other states."

It was pointed out that "the A. N. C. case load would have continued at a very sharp upward trend if the curve of intake had been plotted in the same ratio that existed prior to October, 1949, to the extent that at least half of the increase would have been realized. It further has been determined that 84 percent of the 'new applications' would have been in need and would have qualified for county general relief; another 10 percent would have qualified excepting for the lack of three years self-supporting residence."

In commenting on Assembly Bill No. 40, amending the A. N. C. law and effective October, 1949, the statement says: "This is indicative that there was a need for the changes made and that the Legislature was not at fault when it passed Assembly Bill No. 40 since it was based on a sound social philosophy."

The following conclusions were presented:

1. Administrative rules and regulations should be tightened.

It was claimed that state regulations make it no longer a requirement that verification of the applicant's statement be obtained. In discussion with the committee, Mr. Barr agreed that such regulations do not prohibit investigation and verification of statements, however.

It was pointed out that "Loose and incomplete determination of eligibility tends to encourage fraud and collusion for the purpose of receiving aid," and that determination of real need must take into account any unused available resources and that "determination of technical eligibility is not sufficient."

2. Individual Family Budgets Must Be Reduced. "Aid should be given only on the basis of actual needs, related to local standards. *This is not the case in the A. N. C. budget.*" It was suggested that it is incorrect to provide specific amounts of food, clothing, recreation, etc., "regardless of the cultural background of his family, his health condition, or the living pattern in his neighborhood."

It was claimed that the A. N. C. budgets in many cases provide a standard of living far in excess of that of the family when self-supporting; that they are frequently in excess of standards of self-supporting families; and are in many cases not related to the actual needs of the families.

It was concluded that "a complete and healthful diet can be provided in the A. N. C. budgets with 11 percent reduction in cost." This was based upon the standards provided for general relief families by the county.

"The excessive budgetary allowances, therefore, can be considered the most out standing defect in the entire A. N. C. program."

3. Incentives for Children to Work. Requirements that all net earnings of a working child be applied to the family budget "does not provide an incentive to secure work." It was pointed out that under its general relief program the county permits children to keep a certain amount of money for their own needs, "But at the same time requires an understanding of their family responsibility by token payment back into the family budget."

4. Parents should be urged to work wherever possible.

5. Eligibility in "stepfather" cases should be based on need rather than legal lack of financial responsibility.

It was pointed out that Los Angeles County has 1,998 "stepfather" cases on its A. N. C. rolls and that Section 209 of the Civil Code relieves the stepfather of responsibility for support of the wife's children by a former husband.

6. Certain Payments Should Be Controlled. Where recipients have misapplied assistance funds, "aid-in-kind" as a control over management of funds is not possible without loss of federal and state and federal reimbursement were criticized. It was brought out in discussion that state regulations are based upon an opinion of the Attorney General holding that the law forbids restriction on payments to A. N. C. families.

7. Eligibility requirements should be definite and statements subject to verification.

8. The fiscal budget should be based on estimates of the case load rather than the present "open end" budget system.

It was suggested that funds be allocated to counties on the basis of proportionate use of moneys in the past or on the basis of population and a rigid control be maintained at these case loads.

9. The intent of the law should be conservatively administered instead of liberally construed.

Mr. Barr stated that the present law (as amended by Assembly Bill No. 40) needs no revision. In the prepared statement it is pointed out that children who have become eligible through the changes of 1949 "in almost all instances previously were needy, though the prior 'classification system' prevented their qualifying for A. N. C."

"Previously A. N. C. relieved only chronic long term deprivation. Children without resources are needy at the time they are deprived of parental support whether through death, incapacity or separation. A separation of parents may be as final and complete in one day as in one year. Today, A. N. C. can meet emergencies when they occur without arbitrary time restrictions."

It was pointed out that the deserting father has not been the primary cause of dependency in the increased case load in A. N. C., and the following analysis of causes of dependency of cases in Los Angeles County was furnished:

Deserting fathers	10%
Absent parent (death, incarceration, divorce, separation)	25%
Incapacity of parent	12%
Unmarried mother	8%
Termination of employment	13%
Caretaker needed in the home	7%
Insufficient income	25%

Only 7 percent of the total cases opened since September 1, 1949 could be clearly called desertion cases, "a very small group, infinitesimal in fact, comprised desertions that could be properly classed as collusion cases."

"Further evaluating the time the deserting fathers have been absent, establishes that most of them have been absent for more than three years. Proposals will be made to you to reduce the waiting period to six months. Should this be done, it will be meaningless. Such arguments can only be considered as 'the tail wagging the dog.' "

The statement was concluded as follows: "The Legislature was not at fault when it passed Assembly Bill No. 40. Quite to the contrary. Arguments can be put forward to show that great social gains have been made by the simple expedient of passing this piece of progressive legislation for the benefit of children and mothers who are actually in need and many benefits can be provided to have been gained by the counties."

Mr. James Garfield, Los Angeles County Club of Adult Blind

Presented a request that the White Cane Law of 1935 be amended by deleting the words "wholly or partially blind" and replacing them with the term "legally blind" to prevent the use of white canes by persons who are not in fact blind.

The committee unanimously adopted a motion to refer the recommendation to the Joint Committee on Adult Blind for consideration.

Citizens' Adoption Committee of Los Angeles County

The committee was represented by four persons who presented prepared statements concerning unmarried mothers and unborn children in relation to assistance available under the aid to needy children program.

Mr. J. Howard Zieman, Attorney

Emphasized that availability of help for unmarried mothers is crucial "for the mother and her child because upon the granting of assistance when it is needed depends the future of the unmarried mother and her unborn child." He pointed out that private social agencies are unable to meet the demands for financial assistance and that general relief restricts assistance to persons with three years residence in the State and one year in the county. He pointed out that many unmarried mothers move from their home counties to avoid social stigma. He supported present provisions of the aid to needy children program assisting unmarried mothers and recognizing the unborn child.

Sister Mary Winifred, Superintendent, St. Anne's Maternity Home

Reviewed problems encountered in helping unmarried mothers and social stigmas attached to "illegitimate" children. "Don't ever, ever think that an unmarried mother is immoral or unfit for society until you know all the facts," she stated.

Expressed the belief that A. N. C. assistance has strengthened the mother and child relationship after birth and is a definite weapon against the black-market and abortion mills. Also stated that "under A. N. C. rather than general relief, the natural mother is helped to meet social and emotional pressures by going to another community in the State, if she wishes."

Emphasized that "this aid definitely does not contribute to immorality."

Major Helen Smeeton, Superintendent, Booth Memorial Hospital

Discussed Salvation Army work with young unmarried mothers. Stated that if financial assistance is not available to unmarried mothers "in desperation they, many times, take the wrong step." Pointed out that under the county general relief programs three years state and one year county residence was required, whereas under A. N. C. assistance can be given with one year of state residence, thus "making it possible for her to leave the county of her residence, and save her social status in the home town."

Mrs. Faustina Johnson, Chairman, Unmarried Mothers Auxiliary of the Twelve Big Sisters, Los Angeles

Pointed out the help that A. N. C. provides unmarried mothers. "As a taxpayer, it seems sensible to me to provide an adequate diet for a mother and her unborn baby rather than pay out higher taxes later for victims of malnutrition and tuberculosis." The high cost of the law enforcement agencies and our criminal institutions is a heavier burden than the preventive work of A. N. C. is to the taxpayers. The small cost of A. N. C. brings high returns to the young, unmarried mothers who are rehabilitated and to society in the long run."

California Institute of Social Welfare, Los Angeles

Mr. John Henderson, Executive Secretary: Presented statements concerning costs of old age assistance, old age and survivors' insurance payments, and other fiscal data as a basis for testimony concerning a proposed modification of the old age security program.

Mr. Henderson reviewed the state budget provisions for the old age security program, pointing out that claims of reduced expenditures by proponents of Proposition 2 have failed to materialize and stating that "practically all savings made by the State has been made possible by the tax burden pushed back upon the counties." He stated that the State continues to collect a 3 percent sales tax "which was raised from 2.5 percent with the excuse that this increase was necessary to meet state fiscal requirements under Proposition 4."

Committee members challenged the statement concerning the 3 percent tax pointing out that the increased tax rate was automatic in that legislation reducing the rate expired without other legislation.

Data concerning the old age and survivors' insurance payments in California presented showed that 216,744 beneficiaries received such payments in January, 1950, at a monthly rate of $4,742,930. Since such benefits were recently increased, the effect will be to reduce the costs of the old age security program.

Also presented was data concerning taxes, showing an "all time high per capita figure of $395 compared with a total per capita tax bill of $109 in 1940, and $389 in 1945."

A statement on government debt showed that California citizens owe $26.20 state debt and $112.50 local government debt.

Copies of the "National Welfare Advocate" for September, 1950, were presented with reference to an article on purchasing power showing value of the dollar in June, 1950, as 59 cents compared to 1935-39 dollar and the purchasing power of the current "pension" as equivalent to $44.25 based on 1935-39 purchasing power.

Another statement on institutional inmates, points out that past increases in pensions have not kept pace with the cost of living that the costs of providing for inmates of state institutions has increased greater than the percentage increase in pensions.

Mr. George McLain, Chairman: Presented copies of the initiative measure to be presented to the Legislature and explanatory material. Stated that the initiative measure conforms to the Federal Social Security Act. The formulae for adjustment of pensions on the basis of cost of living increases was adapted from the Illinois public assistance laws. Health and funeral expenses are provided for. Medical care features are taken from the Washington State law.

Mr. McLain presented a statement concerning administration of assistance program throughout the Country, pointing out that 15 states and two territories have full state administration; with five additional states having almost completed the transition from county to state administration.

Dr. Donald Howard, President, California Conference of Social Work

Spoke concerning the aid to needy children, disabled, and general assistance programs. Emphasized that the conference has supported the A. N. C. program; has urged that the State take advantage of recent federal legislation, including establishment of a disability category; and has recommended a state-county general relief program.

Concerning A. N. C., Dr. Howard referred to the newness of the present program and the need for a trial period before evaluation. He especially urged that the gains under the program be considered while eliminating the abuses that may be involved and that there be determination of the actual extent of abuses with care in setting up regulations to control a small group that may be responsible for abuses without working hardship on greater numbers.

He referred to the problem of low income families not receiving assistance and suggested that such families might be supplemented on a family allowance plan.

In connection with desertions, he pointed out that the early period is often when help is needed most while family readjustments are being made. He stated that A. N. C. is no more responsible for desertions than other factors.

Concerning the disabled persons, Dr. Howard urged that California take advantage of the federal aid now available to this category of persons.

He stated that the delay in state financial participation and establishment of standards in the general relief program is the weakest link in the California Social Welfare program and urged that a state-county general assistance program be effectuated.

Mrs. Ruth Speigel, American Association of Social Workers

Explaining that membership of the association was over 600 in the Los Angeles area, she made the following comments:

General Relief: More adequate financing and equity between counties is needed. Weak spot in the total social welfare program. State participation is needed in this program to strengthen it and remove variations between counties.

Disabled Persons: Recommended enactment of legislation to take advantage of federal legislation for this group of persons who present problems of long-term dependency and special needs.

Aid to Needy Children: No limitations should be made in present program without careful study. Budgets established, particularly in view of rising costs of living, do not provide a luxury standard. Since the purpose of the program is to keep mothers at home with children and it is not a short-term program like general relief, standards of assistance need to be more adequate than might be provided under general relief. Desertions reflect unstable marriages. Abuses involved can be corrected through good staff in sufficient numbers.

She presented to the committee a statement on public assistance in California formulated and endorsed by the American Associations of Social Workers, Group Workers, Medical Social Workers, and Psychiatric Social Workers, which recommends the following:

1. State administration of old age security, aid to the blind, and aid to needy children;
2. State supervision of locally administered general assistance;
3. The ultimate integration into a single system of all forms of public assistance;
4. Establishment of local boards and committees to serve as interpreters and counselors to the administration and public;
5. That compulsory features of laws and rulings concerning family responsibility (excluding parental responsibility for a minor child) be eliminated with respect to eligibility for public assistance; in effect removal of the present provisions for responsibility of relatives with emphasis on voluntary contributions through administrative policies and actions.

Mr. C. W. Pfeiffer, Executive Secretary, Welfare Council of Metropolitan Los Angeles

Made a brief statement advocating establishment of an assistance program to provide for disabled persons.

Charles Schottland, Director, State Department of Social Welfare

Discussed with the committee several aspects of the aid to needy children program pointing out that detailed testimony was recently given to a Senate committee and that material used in that testimony is now being written up and will be submitted to this committee.

Referring to the unborn child question, Mr. Schottland said there are only 468 such children, and in 258 of these cases the family was already on A. N. C. by virtue of other children.

In connection with the so-called mismanagement cases, he said the counties were recently requested to report all such cases and listed only 287, of which 74 were in Los Angeles County.

In discussion regarding use of welfare funds for purchase of luxury items, Mr. Schottland stated that where such purchases are detected a reanalysis of eligibility of the family might be made at the county level.

He pointed out, in connection with criticism of the program, that much of this is a question of administration and that some counties are not making required eligibility reviews, and have refused to add staff necessary to maintain contact with families.

Mr. Schottland made the following recommendations for improvement of the A. N. C. program:

1. Amend the law to permit control of payments where families are determined to be unable to manage their own affairs;
2. Make stepparents responsible for support of stepchildren;
3. Mandate the district attorneys to take specific action on cases of deserting fathers;
4. Establish the uniform support of dependents law;
5. Pass a uniform transfer of dependents act;
6. Confine real property exemptions to cover only property utilized for the needs of the recipient, similarly to that working in the present aged and blind laws;

7. Work out the problem of appropriate ratios of financing between the counties and the State;
8. Provide by regulation that in all cases involving voluntary desertion eligibility of the family be reinvestigated every three months;
9. Consider the possibility of a three-month waiting period for cases involving voluntary separation of the supporting parent.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to James Fensee of San Mateo.

On request of Mr. Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Jesse J. Murphy of San Francisco.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to H. L. Rumble, C. J. Rumble, and Orville Bowman, Modesto; D. D. Landes, New Carlisle, Ohio; and Arlin Garber, Tip City, Ohio.

ADJOURNMENT

At 12.30 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, January 12, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 12, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus, at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

Names of Members of Committee on Rules Added to Morning Roll Call by Unanimous Consent

By unanimous consent, Speaker Sam L. Collins ordered the names of the following members of the Committee on Rules, now meeting, placed upon the morning roll call: Messrs. Crowley, Dickey, Dolwig, Doyle, Dunn, Evans, Geddes, Hollibaugh, Lyon, Maloney, McCollister, McMillan, and Waters.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, most Holy, Wise and Powerful, Creator, Preserver and Governor of all Thy creatures, keep us this day in health of body and mind, in purity of heart and cheerfulness of spirit, with charity in our hearts toward all mankind. Thou hast bidden us to walk humbly with Thee, to act justly with others and to seek peace with our fellow men.

"Dear Lord and Father of mankind,
Forgive our feverish ways;
Reclothe us in our rightful mind,
In purer lives Thy service find,
In deeper reverence, praise"—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Burkhalter, on motion of Mr. Cooke.

Mr. Babbage, on motion of Mr. Smith.

Mr. Silliman, on motion of Mr. Hansen.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Sterling W. Nelson, official of the United Air Lines, has made arrangements for a United Air Lines plane to leave Sacramento for Los Angeles every Friday evening, commencing tonight, for the accommodation of Members of the Legislature. This plane will stop at both the Burbank and International Airports upon request, and will return the members of the legislative crowd to Sacramento, by special plane, every Sunday evening. For reservations, contact Mr. Nelson at the United Air Lines office at the Hotel Senator.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

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

Assembly Concurrent Resolution No. 3

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 21
Assembly Bill No. 31

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 31—An act making an appropriation of the unexpended balance of money appropriated by Item 245.1 of the Budget Act of 1950, to the Department of Public Works, and specifying the use therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

APPOINTMENTS TO SPECIAL COMMITTEES ANNOUNCED

Speaker Sam L. Collins announced the appointment of the following members to membership on the Special Joint Committee to Study the Old Age Assistance Initiative Measure:

Messrs. Hahn, Kilpatrick, Mrs. Niehouse, Messrs. Cooke, Kirkwood, Elliott, and Lanterman.

Speaker Sam L. Collins announced the appointment of the following members to membership on the Special Joint Committee to Study the Anticross-Filing Initiative Measure:

Messrs. Hinckley, McCollister, Hollibaugh, Stanley, Doyle, Dills, and Thomas.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 625: By Mr. Doyle—An act to add Section 101.5 to the Labor Code, relating to filing fees.

Referred to Committee on Judiciary.

Assembly Bill No. 626: By Mr. Levering—An act to add Chapter 5.6, comprising Sections 2600 to 2632, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

Referred to Committee on Public Health.

Assembly Bill No. 627: By Mr. Levering—An act to amend Section 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 628: By Mr. Erwin—An act to amend Section 806 of the Fish and Game Code, relating to shellfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 629: By Mr. Erwin—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Referred to Committee on Fish and Game.

Assembly Bill No. 630: By Mr. Erwin—An act to amend Section 432.6 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 631: By Mr. Sherwin—An act to add Section 306.5 to the Unemployment Insurance Act authorizing the investment of funds in the Unemployment Compensation Disability Fund in the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 632: By Mr. Sherwin—An act to add Section 2.5 to the Judges' Retirement Fund Act, relating to the state contributions to the Judges' Retirement Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 633: By Mr. Hinckley—An act to add Article 7.5, comprising Sections 1200 to 1206, inclusive, to Chapter 1, Division 4, Title 1, of the Government Code, and to repeal Sections 31203, 31204, 31205, 31206, 31207, and 31208 of said code, relating to retirement rights of persons successively employed by two or more public agencies.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 634: By Mr. Stewart—An act to amend Section 45.5 of the Community Redevelopment Act, relating to community redevelopment and the powers of public bodies in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 635: By Mr. Stewart—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims

Referred to Committee on Judiciary.

Assembly Bill No. 636: By Mr. Evans—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 637: By Mr. Evans—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 638: By Mr. Evans—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 639: By Mr. Evans—An act to amend Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 640: By Mr. Evans—An act to add Section 31784 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 641: By Mr. Evans—An act to amend Section 31627 of, and to add Sections 31469.5, 31557.5, and 31585.5 to, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 642: By Mr Evans—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 643: By Mr. Evans—An act to amend Section 92 of the Labor Code, relating to the powers of the Labor Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 644: By Mr. Evans—An act to amend Section 1201 of the Code of Civil Procedure, relating to the waiver or impairment of claims or liens.

Referred to Committee on Judiciary.

Assembly Bill No. 645: By Mr. Cooke—An act to amend Sections 1178 and 1179 of the Military and Veterans Code, relating to memorial districts.

Referred to Committee on Military Affairs.

Assembly Bill No. 646: By Mr. Hahn—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension and revocation of drivers' licenses.

Referred to Committee on Judiciary.

Assembly Bill No. 647: By Messrs. Hansen, Kelly, and Cloyed—An act adding Article 14 to Division 8, Chapter 7 of, the Business and Professions Code, consisting of Sections 20990 to 21002, inclusive, defining rerefined oil and rerefiners, providing for the licensing of rerefiners, setting forth the powers of the Division of Weights and Measures of the Department of Agriculture and providing minimum specifications for rerefined oil.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 648: By Mrs. Niehouse—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 649: By Mrs. Niehouse—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 650: By Mr. Coats—An act to amend Section 1184 of the Fish and Game Code, relating to the use of domestically reared game birds for dog training or field trial purposes.

Referred to Committee on Fish and Game

Assembly Bill No. 651: By Messrs. Moss and Fleury—An act to amend Sections 18801 and 19052 and to repeal Sections 18802.5 and 19052.5 of the Government Code, relating to the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 652: By Messrs. Fleury and Moss—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 653: By Messrs. Fleury and Moss—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 654: By Messrs. Brown and Stanley—An act to repeal Section 8352 of, and to add Section 8352 to, the Revenue and Taxation Code, and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to appropriation of the money in the Motor Vehicle Fuel Fund, and providing for the period of operation of the code provisions relative thereto.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 655: By Mr. Brady—An act to amend Section 1771 of the Labor Code, relating to public works and public agencies.

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

Assembly Bill No. 656: By Mr. Brady—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, to repeal Sections 13082, 13083, 13084, and 13085 of the Education Code, relating to teachers' tenure.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 3—Relative to approving four certain amendments to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lipscomb, Luckel, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 6

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 6, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to the selection of the Legislative Counsel of California.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 1

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 1, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to aid to our enemy.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that all Members of the Assembly are invited to a stag dinner by "Scotty," maitre d'hotel of the Chuck Wagon Restaurant, next Wednesday evening, January 17th, at the Chuck Wagon. If your attendance is possible, please so state to Miss Kay Johnson, Secretary to the Speaker.

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

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

Assembly Bill No. 657: By Mr. Brown—An act to amend Section 10.2 of the Parking Law of 1949, relating to off-street parking facilities

Referred to Committee on Municipal and County Government

Assembly Bill No. 658: By Mr. Brown—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities.

Referred to Committee on Judiciary.

Assembly Bill No. 659: By Mr. Brown—An act to amend Section 27 of the Probate Code, relating to those who may take by will.

Referred to Committee on Judiciary.

Assembly Bill No. 660: By Mr. Luckel—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 661: By Mr. Luckel—An act to add Section 9483 to the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 662: By Messrs. Luckel, Cloyed, and Mrs. Niehouse—An act to add Section 18196.5 to the Education Code, relating to school building construction.

Referred to Committee on Education.

Assembly Bill No. 663: By Messrs. Gaffney and Berry—An act to amend Section 96 of the Labor Code, relating to assignment of claims.

Referred to Committee on Judiciary.

Assembly Bill No. 664: By Messrs. Rosenthal, Evans, and Morris—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 665: By Messrs. Rosenthal and Morris—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 666: By Mr. Rosenthal—An act to add Section 272 to the Labor Code, relating to security for wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 667: By Mrs. Niehouse—An act to repeal Sections 3474 and 3474.1 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, to repeal the provisions for relatives' responsibility.

Referred to Committee on Social Welfare.

Assembly Bill No. 668: By Mrs. Niehouse—An act to amend Sections 3420, 3472, and 3480 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Assembly Bill No. 669: By Mrs. Niehouse—An act to amend Sections 3025, 3084, and 3087.1 of the Welfare and Institutions Code, relating to aid to the needy blind, to increase the maximum grant of aid to $95 per month.

Referred to Committee on Social Welfare.

Assembly Bill No. 670: By Mrs. Niehouse—An act to repeal Sections 3088 and 3088.1 of the Welfare and Institutions Code, relating to aid to the needy blind, to repeal the provisions relating to relatives' responsibility.

Referred to Committee on Social Welfare.

Assembly Bill No. 671: By Mrs. Niehouse—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on Military or Naval duty, and compensation and salary during absence on Military or Naval leave.

Referred to Committee on Military Affairs.

Assembly Bill No. 672: By Mrs. Niehouse—An act to amend Section 16482 of the Education Code, relating to the testing of the sight and hearing of public school pupils.

Referred to Committee on Education.

Assembly Bill No. 673: By Mr. Rosenthal—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 674: By Messrs. Moss, Brown, and Coats—An act to add Section 31.5 to the Public Utilities Act and Article 7, comprising Sections 871 and 872, to Chapter 4, Part 1, Division 1 of the Public Utilities Code, relating to regulation of public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 675: By Mr. Morris—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 676: By Mr. Morris—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Referred to Committee on Industrial Relations.

Assembly Bill No. 677: By Mr. George D. Collins—An act to amend Section 2206 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 678: By Mr. George D. Collins—An act to amend Section 655 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 679: By Mr. George D. Collins—An act to amend Section 3809 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 680: By Mr. George D. Collins—An act to amend Section 120 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 681: By Mr. Condon—An act to add Section 97.5 to the Labor Code, relating to civil actions for wages.

Referred to Committee on Judiciary.

Assembly Bill No. 682: By Messrs. Fleury and Moss—An act to amend Section 20831 of the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 683: By Mr. McCollister—An act to amend Section 420 of the Education Code, relating to county school superintendents' salaries in counties of the twentieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 684: By Mr. McCollister—An act to amend Section 422 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-second class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 685: By Mr. McCollister—An act to amend Section 970 of the Fish and Game Code, relating to crab traps.

Referred to Committee on Fish and Game.

Assembly Bill No. 686: By Messrs. McCollister, Porter, and Thomas—An act to add Sections 13055 and 13056 to the Health and Safety Code, relating to fire equipment.

Referred to Committee on Public Health.

Assembly Bill No. 687: By Mr. McCollister—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Motion to Place Rush Order on Printing of Assembly Bill No. 687

Mr. McCollister moved that a rush order be placed upon the printing of Assembly Bill No. 687.

Motion carried.

Assembly Bill No. 688: By Messrs. Berry, Gaffney, and Meyers—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 689: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 690: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORTS BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Interstate Cooperation be ordered printed in the Assembly Journal in 10-point type.

(Above report will appear prior to the motion to adjourn.)

Mr. McCollister asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Military Affairs be ordered printed in the Assembly Journal in 10-point type.

(Above report will appear prior to the motion to adjourn)

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

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

Assembly Bill No. 691: By Messrs. Berry, Gaffney, and George D. Collins—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 692: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 693: By Mr. Thomas—An act to add Section 685 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 694: By Mr. Lyon—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments

Referred to Committee on Municipal and County Government

Assembly Bill No. 695: By Mr. Lyon—An act to amend Section 43628 of the Government Code, relating to the disposition of the proceeds of bonds.

Referred to Committee on Municipal and County Government

Assembly Bill No. 696: By Mr. Lyon—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911

Referred to Committee on Municipal and County Government.

Assembly Bill No. 697: By Messrs Belotti, Chapel, Condon, and Parker—An act to amend Section 2006 of the Streets and Highways Code, relating to the appointment of a Road Commissioner.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 698: By Mr. Belotti—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 699: By Mr. Belotti—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 700: By Mr. Belotti—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 701: By Mr. Belotti—An act to add Section 46 1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 702: By Mr. Belotti—An act to add Section 685 to the Vehicle Code, relating to tire chains and the required use thereof.

Referred to Committee on Transportation and Commerce.

APPOINTMENT OF MEMBERS TO COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT ORDERED NOTED IN CORRECTED JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Assembly Journal for Wednesday, January 10th, page 209, be corrected to show that Messrs. Hollibaugh and Burke were appointed members of the Committee on Municipal and County Government.

Speaker Pro Tempore Presiding

At 10.56 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Mr. Waters:

House Resolution No. 31

Relative to contests as to the qualifications, elections, and returns of Members of the Assembly

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

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Assembly is received by the Assembly, the Speaker shall refer it to the Committee on Elections and Reapportionment. If that committee determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigation of the facts as it deems necessary. In so doing, the committee shall be governed by the rules and shall be vested with and exercise the powers contained in this resolution

2. Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Assembly, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant.

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

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

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner

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

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant.

7 In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material.

8. In addition to witnesses that are called or subpenaed on behalf of the committee, the chairman shall issue subpenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence so proposed to be obtained is relevant and necessary to determine the contest.

9 At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10 Each witness shall be examined in the following order:

(a) By the party calling him.
(b) By the opposite party on cross-examination.
(c) By the party calling him on redirect examination
(d) By the opposite party on recross-examination
(e) By the chairman of the committee.
(f) By any member of the committee.
(g) By either party as directed by the chairman of the committee

11 All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee

12 Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so

14. The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars ($5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Assembly. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18. Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Assembly at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Assembly entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

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

Assembly Bill No. 21
Assembly Bill No. 31

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 34

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the application for the position of Assistant Clerk and desires to submit the following resolution:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of this person in the said amount and the Treasurer is hereby directed to pay the same.

Commencing Thursday, January 11,1951	*Per day*
Robert W. Crown, *Assistant Clerk*	$12.00

Resolved, That the compensation of the above named attache shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 34, at this time, without reference to committee or file.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 130

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DICKEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 5

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 32

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

DICKEY, Chairman

Above reported resolution ordered on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1951

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

Senate Concurrent Resolution No. 10

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

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

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

Assembly Bill No. 703: By Mr. McCarthy—An act to amend Section 202 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 704: By Mr. McCarthy—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 705: By Mr. McCarthy—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 706: By Mr. McCarthy—An act to amend Section 153 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 707: By Mr. Maloney—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Referred to Committee on Judiciary.

Assembly Bill No. 708: By Messrs Munnell and Brown—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Referred to Committee on Judiciary.

Assembly Bill No. 709: By Messrs Munnell and Brown—An act to amend Section 1271 of the Code of Civil Procedure, relating to escheats

Referred to Committee on Judiciary.

Assembly Bill No. 710: By Messrs. Munnell and Brown—An act to amend Section 548 of the Probate Code, relating to executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 711: By Messrs. Munnell and Brown—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Assembly Bill No. 712: By Messrs. Munnell and Brown—An act to amend Section 261 of the Probate Code, relating to notices in estates of missing persons.

Referred to Committee on Judiciary.

Assembly Bill No. 713: By Messrs. Munnell and Brown—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records

Referred to Committee on Judiciary.

Assembly Bill No. 714: By Messrs. Munnell and Brown—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names.

Referred to Committee on Judiciary.

Assembly Bill No. 715: By Messrs. Munnell and Brown—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property.

Referred to Committee on Judiciary.

Assembly Bill No. 716: By Messrs. Munnell and Brown—An act to amend Section 757 of the Code of Civil Procedure, relating to publication of summons on absent or unknown parties in actions for partition of property.

Referred to Committee on Judiciary.

Assembly Bill No. 717: By Messrs. Munnell and Brown—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property.

Referred to Committee on Judiciary.

Assembly Bill No. 718: By Messrs. Munnell and Brown—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

Referred to Committee on Judiciary.

Assembly Bill No. 719: By Messrs. Munnell and Brown—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name.

Referred to Committee on Judiciary.

Assembly Bill No. 720: By Messrs. Munnell and Brown—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader

Referred to Committee on Judiciary.

Assembly Bill No. 721: By Messrs. Munnell and Brown—An act to amend Section 521 of the Probate Code, relating to executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 722: By Messrs. Munnell and Brown—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons.

Referred to Committee on Judiciary.

Assembly Bill No. 723: By Messrs. Munnell and Brown—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Referred to Committee on Judiciary.

Assembly Bill No. 724: By Messrs. Munnell and Brown—An act to amend Section 762 of the Code of Civil Procedure, relating to service of notice to lien holders in actions for the partition of property

Referred to Committee on Judiciary.

Assembly Bill No. 725: By Messrs Munnell and Brown—An act to amend Section 692 of the Code of Civil Procedure, relating to sales of property.

Referred to Committee on Judiciary.

Assembly Bill No. 726: By Messrs. Munnell and Brown—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 727: By Messrs. Munnell and Brown—An act to add Section 6066 to the Government Code, relating to publication of notices.

Referred to Committee on Judiciary.

Assembly Bill No. 728: By Messrs. Munnell and Brown—An act act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 729: By Mr. McCarthy—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 730: By Mr. Lyon—An act to add Chapter 3.5, consisting of Sections 139.80 to 139.83, inclusive, to Division 2A of the Vehicle Code, relating to the California Highway Patrol Commission.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 731: By Messrs. Brown, Caldecott, Connolly, Fleury, Brady, George D. Collins, McCarthy, McGee, Rosenthal, Smith, Tomlinson, McFall, and Munnell—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243,

1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, and 1167 to said code, relating to proceedings in criminal cases.

Referred to Committee on Judiciary.

Assembly Bill No. 732: By Messrs. Stanley and Lanterman—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 733: By Messrs. Stanley, Brown, McMillan, Hinckley, and Waters—An act to amend Sections 8352, 8354, and 8355 of, and to repeal Sections 8356, 8357 and 8358 of the Revenue and Taxation Code, and to add Section 28 to the State Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 734: By Messrs. Stanley, Brown, McMillan, Hinckley, and Waters—An act to provide for the registration of aircraft by the State, the collection of registration fees therefor and the disposition of such registration fees

Referred to Committee on Municipal and County Government.

Assembly Bill No. 735: By Messrs. Stanley, Brown, McMillan, Hinckley, and Waters—An act to add Part 6.5 to Division 2 of the Revenue Code, relating to licensing aircraft, creating the Aircraft License Fee Fund and making an appropriation of the moneys therein.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 736: By Messrs. Tomlinson, Cooke, Hinckley, Stanley, Beck, Butters, Cloyed, Erwin, Geddes, Hagen, Hansen, Kelly, and Lanterman—An act making an appropriation to the University of California for the development of means for mass rearing of parasites for the control of red scale on citrus trees.

Referred to Committee on Agriculture.

Assembly Bill No. 737: By Messrs. Tomlinson, Cooke, Hinckley, Stanley, Beck, Butters, Cloyed, Erwin, Geddes, Hagen, Hansen, Kelly, and Lanterman—An act making an appropriation to the University of California for the development of means for mass rearing of parasites for the control of red scale on citrus trees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 738: By Mr. Dunn—An act to amend Sections 7012 and 7109.3 of the Education Code, relating to the support of the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 739: By Mr. Dunn—An act to amend Section 19091 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

ANNOUNCEMENT

Mr. Geddes announced that he is holding an anti-coersion bill at his desk and that any member desiring to be a co-author may come to his desk and affix his signature to the bill.

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

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

Assembly Bill No. 740: By Mr. Dunn—An act to amend Section 13032 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 741: By Mr. Dunn—An act to repeal Section 13043 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 742: By Mr. Evans—An act to amend Section 31679 of the Government Code, relating to retirement systems.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 743: By Mr. Shaw—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 744: By Mr. George D Collins—An act to amend Section 3358.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 745: By Messrs. George D. Collins and Gaffney —An act to amend Section 3352 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 746: By Messrs. George D. Collins and Gaffney —An act to amend Section 3352 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 747: By Messrs. Grant, Porter, and Klocksiem —An act to amend Section 5243 of the Streets and Highways Code, relating to local improvement proceedings.

Referred to Committee on Transportation and Commerce.

Assembly Constitutional Amendment No. 10: By Mr. Doyle—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4 of Article IV thereof, relating to qualifications of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 11: By Mr. Dickey—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 14.9 to Article XIII of the Constitution, relating to the retirement of firemen, and providing for the financing thereof from taxes imposed upon fire insurers.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1951

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

Assembly Bill No. 17

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

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 12, 1951

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

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 6

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

Above resolutions ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 32

By Mr. Hahn:

House Resolution No. 32

Relative to thanking the Sacramento Council of Churches for the Pre-Legislative Communion Service held for the benefit of the Legislature on January 8, 1951 at the Westminster Presbyterian Church

WHEREAS, On January 8, 1951, at 11 a.m., a Pre-Legislative Communion Service was held for the benefit of the Legislature by the Sacramento Council of Churches at the Westminster Presbyterian Church in Sacramento, California; and

WHEREAS, The Members of this Assembly attending this Communion Service were greatly benefitted by this spiritual guidance offered and wish to show their appreciation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California do hereby extend their thanks to the Sacramento Council of Churches for said Pre-Legislative Communion Service; and, be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Sacramento Council of Churches.

Resolution read, and adopted.

MOTION THAT FIVE ADDITIONAL COPIES OF BUDGET BE DISTRIBUTED TO EACH MEMBER

Mr Dickey moved that five additional copies of the budget be distributed to each member.

Mr. Doyle seconded the motion.

Motion carried.

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

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

Assembly Bill No. 748: By Mr. Thomas—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Referred to Committee on Fish and Game.

Assembly Bill No. 749: By Mr. Beck—An act to add Section 8215 to the Government Code, relating to notary publics in state service.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Brady:

House Resolution No. 35

Relative to a study of Youth Guidance Centers

WHEREAS, The people of the State are vitally concerned in the welfare and proper training of the youth of the State; and

WHEREAS, A controversy now exists as to the efficiency and adequacy of the Youth Guidance Center in the City and County of San Francisco, and as to the care and treatment of the juveniles therein; and

WHEREAS, It is necessary that the Assembly be fully informed on these matters in order that it may intelligently determine what, if any, state legislation is necessary or desirable; and

WHEREAS, It appears that this subject falls within the scope of the duties imposed on the Assembly Interim Committee on Crime and Correction; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243 of the 1949 General Session and continued by House Resolution No. 28, 1951 General Session) and any successor thereto created at this session, is hereby authorized and directed to study and investigate all facts relating to the care of juveniles in the Youth Guidance Center in San Francisco, the adequacy and efficiency of said Youth Guidance Center, and particularly the relationship between the present controversy and the recent statutory changes in the powers and duties of the Director of said Youth Care Center. The committee and its successor is also authorized and directed to study the operation, effect, administration enforcement and needed revision of any and all laws in any way bearing upon or relating to said subject, and to report to the Assembly on or before March 15, 1950, including in its report its recommendations for appropriate legislation

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

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

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

Assembly Bill No. 750: By Mr. Lindsay—An act to add Section 432 to the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game

Assembly Bill No. 751: By Mr. Lindsay—An act to amend Section 496 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 752: By Mr. George D. Collins—An act to amend Section 3352 of the California Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 753: By Messrs. Fleury and Moss—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 754: By Messrs. Fleury and Moss—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 755: By Messrs Fleury and Moss—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 756: By Mr. Kelly—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 757: By Mr. Kelly—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners

Referred to Committee on Judiciary.

Assembly Bill No. 758: By Mr. Lindsay—An act to amend Section 7.6 of the Unemployment Insurance Act, relating to unemployment and disability insurance and the coverage of public employees thereunder.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced that the members are to be commended for their efforts to be on time at sessions during this opening week, and urged continued prompt attendance in the morning and that all members remain, each day, until adjournment.

Mr. Dickey announced that if all members will conscientiously remain at work on Friday that Speaker Sam L Collins, and President pro Tempore of the Senate, Senator Powers, will endeavor to avoid holding legislative sessions on Saturdays, but warned that without full cooperation on the part of all members Saturday sessions will be necessary.

COMMUNICATIONS

By the Chief Clerk:

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

(COPY)

SACRAMENTO 2, CALIFORNIA

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

DEAR MR. OHNIMUS: During the Third Extra Session of 1950 the following legislation was enacted, which contained duration clauses limiting its effective period. Each law will expire on the ninety-first day after the 1951 Regular Session of the Legislature The first author of each of the laws has been notified of this fact.

A B No 15, Chapter 12—

Subject	*Clause*	*Authors*
"War voters"	91st day after 1951 session	Conrad, Stanley, Beck, Levering, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Price, Reagan, Rumford, Sherwin, Smith, Stewart, Tomlinson, Thomas, Thompson, and Waters

A. B. No. 37, Chapter 6—

State employees attaining compulsory retirement age. retention or reinstatement	Duration or 91st day after 1951 session, whichever first occurs	Lindsay, Lowrey, Sherwin, Erwin, Moss, and Weber

A. B. No 52, Chapter 3—

"Civil Defense Act of 1950"	91st day after 1951 session	Caldecott, Conrad, Babbage, Levering, Brady, Maloney, McCollister, and Stewart

A B No. 60, Chapter 33—

Female employees' hours and working conditions	Duration or 91st day after 1951 session, whichever first occurs	Levering, Reagan, Morris, Babbage, Burke, Butters, Cloyed, Collier, Connolly, Dolwig, Doyle, Erwin, Grant, Hahn, Hansen, Hinckley, Hollibaugh, Lipscomb, Luckel, Price, and Smith

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By CHAS W. JOHNSON, Chief Deputy

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Next Monday, January 15th, at 8 p.m.—

Finance and Insurance. Subject: Assembly Bill No. 51, in Room 432.

Next Tuesday, January 16th—

At 2 p.m.

Agriculture, in Room 432.

At 3 p.m.

Tidelands and Transbay Crossings.

Next Wednesday, January 17th, at 3 p.m —

Governmental Efficiency and Economy, in Room 436.

PRELIMINARY REPORT
ASSEMBLY INTERIM COMMITTEE ON INTERSTATE COOPERATION

January 12, 1951

DEAR MR. SPEAKER: Pursuant to the authorities and duties imposed upon your Interim Committee on Interstate Cooperation, as set forth in House Resolution 216 of the 1949 Regular Session, your committee herewith submits its preliminary report. We have functioned as an integral part of the California Commission on Interstate Cooperation whose membership, as you know, is composed of five constitutional state officers, five Senators, and five Assemblymen, under the guidance of Lieutenant Governor Goodwin Knight as Commission Chairman. This commission was established in 1939 (Cal. Stats. 1939, Chapt. 376) wherein California became a participating member of the Council of State Governments, now found in Title 2, Division 1 of the Government Code (Secs. 8000-8011).

FIELD OF ACTIVITY OF THE COMMITTEE

The primary function of the California Assembly Interim Committee on Interstate Cooperation in conjunction with the Senate Interim Committee on Interstate Cooperation and the California Commission on Interstate Cooperation is to furnish a means whereby California can join with the 47 other states now having like committees and commissions in dealing with interstate problems not coming within the purview of federal jurisdiction, and which are so broad in scope as not to lend themselves to as effectual solutions if dealt with by the states individually. These involve: Interstate compacts contemplated by Article I, Section 10 of the Constitution of the United States, the adoption of uniform and model legislation by the various states, promotion of regional programs beneficial to the states within the area, and reciprocal administrative acts or agreements. Participation in, and acting upon, such matters are among the goals which this committee seeks to accomplish in order to develop interstate unity among the states. In addition, this committee has aided in promoting a clearer understanding of many federal-state problems.

CHRONOLOGICAL RECORD OF INTERSTATE CONFERENCES

The committee, in addition to regular meetings within California, participated in 24 interstate conferences during the past biennium. Some idea of the importance and variety of interstate problems considered is indicated by the group of conferences:

August 23, 24, 1949—Al Tahoe, California
California-Nevada Committee on Lake Tahoe Problems

September 29, 30, 1949—Chicago, Illinois
Conference on State Government Reorganization

October 3-5, 1949—Portland, Oregon
Western Regional Conference of the Council of State Governments

October 12-13, 1949—Washington, D. C.
Meeting of the Drafting Committee of the Council of State Governments

October 27-28, 1949—Chicago, Illinois
Legislative Service Conference

November 9, 1949—San Francisco, California
Western Interstate Committee on Agriculture

December 9, 1949—Chicago, Illinois
Annual Meeting of Board of Managers of the Council of State Governments

January 30-31, 1950—Long Beach, California
Western Interstate Committee on Institutional Care

February 17-18, 1950—Salt Lake City, Utah
Western Interstate Committee on Highway Policy Problems

March 7, 1950—Sacramento, California
California-Nevada Committee on Lake Tahoe Problems

March 10, 1950—Denver, Colorado
Technical Advisory Committee on Regional Higher Education in the West

April 28-29, 1950—Salt Lake City, Utah
Technical Advisory Committee on Regional Higher Education in the West

July 7-8, 1950—San Francisco, California
Western Interstate Committee on Highway Policy Problems

July 28, 1950—San Francisco, California
Technical Advisory Committee on Regional Higher Education in the West

July 29, 1950—San Francisco, California
Legal Committee on Regional Higher Education in the West

September 11-12, 1950—Brockway, California
California-Nevada Committee on Lake Tahoe Problems

September 28-30, 1950—Washington, D. C.
Legislative Service Conference

October 19-20, 1950—Washington, D. C.
Meeting of Drafting Committee of the Council of State Governments

October 21, 1950—Santa Fe, New Mexico
Western Interstate Committee on Highway Policy Problems
Western Interstate Committee on Agriculture

October 22, 1950—Santa Fe, New Mexico
Western Interstate Committee on Institutional Care
October 23-24, 1950—Santa Fe, New Mexico
Western Regional Conference of the Council of State Governments
December 6, 1950—Chicago, Illinois
Annual Meeting of Board of Managers of the Council of State Governments
December 7-9, 1950—Chicago, Illinois
Tenth General Assembly of the States

ACTIVITIES OF THE CALIFORNIA ASSEMBLY INTERIM COMMITTEE ON INTERSTATE COOPERATION

Western Highways

The Western Interstate Committee on Highway Policy Problems was established at the direction of the Western Regional Conference of the Council of State Governments in Portland, in 1949 It is composed of two members from each state, usually one legislator and one highway official. California is represented by Senator Randolph Collier and Hon. Charles Purcell, Director of Public Works

The committee has been extremely active from its initial meeting in Salt Lake City in February, 1950. Representative Ralph T. Moore of Oregon was elected chairman. Discussion at that meeting led to agreement for proposed legislative action on a number of significant highway problems.

In discussing the problems of highway finance, members of the committee agreed that the major problem in making allocations of highway tax burdens was the lack of reliable information upon which such allocations may be based. A great deal of research has been done in this field, but much yet remains to be accomplished. It was proposed that the states of the western region cooperatively undertake a long-term program of research which would help provide answers to the more pressing questions of highway costs The Council of State Governments was directed to make preliminary studies along these lines to determine the feasibility and scope of such a program.

The committee's second meeting was held in San Francisco in July, 1950. At that time the committee carefully reviewed the proposed legislative action agreed upon at its first meeting. After considerable discussion of the proposed regional research program the committee voted to call upon the Institute of Transportation and Traffic Engineering of the University of California "to determine the areas in which research is necessary to set up a proper allocation of highway costs and to prepare a prospectus of the necessary research methods and costs for presentation to this committee." A subcommittee consisting of Senator Collier, Senator Paul Patterson of Oregon, and Representative Julia Hansen of Washington was appointed to work with the institute on this matter. Mr. J. W. Vickrey of the California Highway Department, Mr. R. H. Baldock of the Oregon Highway Department, and Mr. W. A. Bugge of the Washington Highway Department were named as consultants to the subcommittee.

Thereafter, the subcommittee, in cooperation with the Institute of Transportation and Traffic Engineering prepared a research outline, as directed. At the same time, the Stanford Research Institute of Stanford University was called upon to prepare a similar outline with respect to the over-all economic aspects of the problem. This research program was then presented to the entire committee at its third meeting in Santa Fe, New Mexico, in October, 1950. The report of the subcommittee was adopted in its entirety by the committee, and in turn presented to the Regional Conference of the Council of State Governments as a part of the committee's suggested program of legislative action for 1951, along with the other proposals previously agreed upon. In addition to the proposed research plan, the following legislative proposals make up the committee program:

(A) Adoption of statutes providing that courts be given discretionary power to suspend licenses of first offender drunken drivers for periods up to one year, and to provide mandatory suspension of licenses of second offenders.

(B) Adoption of legislation providing that traffic violators under 18 be tried in regular courts, rather than in juvenile courts It was suggested that in most states this recommendation could be put into effect by an amendment to the jurisdictional section of the Juvenile Court Act, such as "providing, however, in the case of traffic code violations, the court of original jurisdiction shall retain it."

(C) Adoption of legislation requiring that records of convictions of major traffic violators be forwarded to their state of origin

(D) Adoption of highway markings by every state which will conform to one of the alternatives fixed in the Manual of Uniform Traffic Control Devices adopted by the American Association of State Highway Officials

(E) Adoption of legislation providing that state highway officials have exclusive jurisdiction over all traffic control signs and devices on state highways.

(F) Adoption of legislation insuring the protection of state highways from subsequent encroachment, by the exercise of appropriate state powers, including the right of limitation of access to such highways

(G) Adoption of standard sizes and weights as recommended by the Western Association of State Highway Officials and refusal to increase sizes and weights until studies now under way are completed.

(H) Establishment of state safety councils by the 11 western states, with the cooperation and help of the National Safety Council.

(I) Exchange of important highway legislation introduced in the 1951 sessions among the 11 western states—utilizing the Western Office of the Council of State Governments as a clearing house for this purpose.

Regardless of the limitations in the various state statutes, there are extensive violations in gross overloading of trucks. It is claimed that these violations relate to a small percentage of truck owners but, whether this be true of not, the fact remains that over-loading causes material damage to our existing highways and these illegal truck operations are destroying the large investment California has in the highway system. The result is that a disproportionate part of our available highway revenue is being used for maintenance, leaving insufficient funds for badly needed new construction.

Agriculture

The Western Interstate Committee on Agriculture was established at the direction of the Regional Conference of the Council of State Governments in San Francisco in 1947. Each state is represented on the committee by the Director of Agriculture and a member of the Commission on Interstate Cooperation. Accordingly, Mr. A. A Brock, Director of the Department of Agriculture, and Assemblyman John F. Thompson were appointed to represent California.

The committee met in San Francisco on November 9, 1949, and in Santa Fe, New Mexico, on October 21, 1950. A wide variety of matters vital to the welfare of the agricultural industry of the western states received consideration by the committee in the past biennium. Among these were: Market enforcement legislation to prevent improper operation of commission merchants, prosecution of a vigorous cooperative program for eradication of foot and mouth disease by the Federal Government in Mexico, land classification programs, cooperative efforts by state, federal, and territorial agencies to combat Oriental fruit fly, transportation rates, and excise taxes on transportation charges which placed long hauls from the western area at a distinct disadvantage, uniform legislation regulating pest control operators and materials, regulation of experiments in artificial rainfall, methods of implementing state participation in the market service features of the Hope-Flanagan Act, federal-state cooperation in control of poisonous and noxious weeds with particular reference to federally owned and controlled land, and study of the United Nations Food and Agricultural Organization's proposed plant convention.

The following recommendations were made by the Western Interstate Committee on Agriculture to the Western Regional Conference of the Council of State Governments:

(I) (a) Research and development work in artificial rainmaking be encouraged.

(b) Legislation be adopted, if necessary, to provide for the registration with a proper state agency of (1) persons or organizations engaged in the business of operating artificial nucleation equipment, with provision for information on areas of operation, and, (2) of persons or organizations selling equipment and supplies for artificial nucleation or possessing equipment and supplies used in connection therewith

(II) The committee recommends that the states give consideration to the enactment of the uniform state law suggested by the Council of State Governments governing the custom application of pesticides (insecticides, herbicides, fungicides and rodenticides) with such modifications as may be pertinent to the particular conditions existing in each state.

(III) Because of the need for improved marketing services in behalf of the agricultural products of the West, the committee recommends that the legislatures of the several states take cognizance of the availability of cooperative marketing services programs under the Hope-Flanagan Agricultural Marketing Research Law (P L. 733—79th Congress), whereby matching funds provided by the states can be utilized, under state departments of agriculture or markets, to develop improved techniques and services to aid in the marketing of farm products.

(IV) Since the newly introduced weed *Halogeton glomeratus* and other poisonous plants have killed thousands of head of sheep and cattle, and since the several western states are developing programs for the suppression of such weeds, and since a major portion of the infestation is on federally controlled land, and since *Halogeton glomeratus* is also host of the beet leaf hopper which transmits the destructive curly-top disease of many important commercial crops, the committee recommends that Congress be requested to enact H.R. 9578 (Baring), or similar legislation in order that cooperation from the Federal Government may be forthcoming for the control of poisonous and other weeds growing on lands subject to federal jurisdiction.

The committee recommends immediate action by the respective states to control *Halogeton glomeratus* through: (1) Vesting authority in and giving direction to appropriate state agencies to effectuate research, education and control; and (2) The coordination of activities directed to the suppression of *Halogeton* by the utilization of the services of official, community and private agencies through committees or otherwise; and (3) The immediate initiation and vigorous development of range management, livestock management and weed control programs utilizing information now available; and (4) Adequate appropriations to proper state and county agencies for research, education and control.

(V) Be it recommended by the Western Interstate Committee on Agriculture, meeting at Santa Fe, New Mexico, October 21st, 1950, that the following recommendation of the National Plant Board be approved:

"WHEREAS, The United Nations Food and Agriculture Organization has drafted an international plant protection convention and has proposed a world reporting service concerning the incidence of plant pests and diseases, with reports about such pests being released on a world-wide basis through the F. A. O.; and

"WHEREAS, It is proposed that the United States participate in this convention which offers a medium for international cooperation and investigation of plant pests; and

"WHEREAS, Such cooperation would be very helpful to the United States in providing information about plant pests in foreign countries and in promoting international goodwill and understanding; now, therefore, be it

"*Recommended, by the National Plant Board in session at New York City, New York, September 25-27, 1950,* That the United States actively participate in this international convention as presently conceived, provided it does not restrict the authority now vested in the Secretary of Agriculture under the provisions of the Plant Quarantine Act of 1912 as amended, to take immediate and independent action to protect the agriculture of the United States; and be it further

"*Recommended,* That the National Plant Board requests the Secretary of Agriculture to inform the National Plant Board of any proposed changes in the present draft or any future amendments that may be proposed; and be it further

"*Recommended,* That copies of this resolution be sent to the Secretary of Agriculture, the Chief of the Bureau of Entomology and Plant Quarantine, U. S. D. A., and to all regional plant boards."

Institutional Care

The Western Interstate Committee on Institutional Care was created at the direction of the Regional Conference of the Council of State Governments in Salt Lake City in 1946. It is made up of one official appointed by the chairman of each state Commission on Interstate Cooperation of the 11 Western States. Assemblyman Vincent Thomas was appointed to fill the vacancy created by the resignation of Assemblyman Ralph C. Dills. Meetings were held in Long Beach, California, in January, 1950, and in Santa Fe, New Mexico, in October, 1950.

The committee has sought ways and means of avoiding and eliminating duplication of institutional facilities in the region. A four-state compact involving Idaho, Nevada, Utah, and Wyoming is presently under consideration with a view to providing better educational facilities for the deaf and blind students of these states. The plan contemplates that the present school for the deaf and blind located at Ogden, Utah, will become a school solely for the blind students of the four states, and that the present school for the deaf and blind located at Gooding, Idaho, will serve as a school solely for the deaf students of the four states.

Steps have been taken at the instance of this committee to provide sharing of penal facilities for women prisoners. California, in 1949, enacted legislation which will permit the taking of women prisoners from other states on a tuition basis when such facilities become available. Oregon, Idaho, and Nevada have passed legislation permitting women prisoners to be housed in California when possible.

A number of other projects are in progress or have been completed. The committee has done a great deal to promote the use of sight saving books in public schools to permit pupils with partial sight to continue in the public schools. Consultation with the California School for the Blind at Berkeley has resulted in an agreement by that school to take the doubly handicapped children of the region. The school has also consented to make available to other states on a cost basis, the services of various faculty members for the purpose of holding preschool clinics for parents of blind children. Home training courses for spastics which are used extensively in Montana have been made available to all the states of the region The committee is also studying the problem of handling the advanced training of deaf students who require vocational training beyond the level to be found in the home state. In addition, the committee has been studying the best means of helping the states on general problems common to all institutions, such as: the exchange of institutional building plans, the establishment of regional wage scales for comparable positions, the adoption of reciprocal action in the field of retirement for special educators and institution heads, and the dissemination of important safety information among institutions.

The following recommendations were presented by the committee to the Regional Conference of the Council of State Governments in Santa Fe, New Mexico, on October 24, 1950:

(1) The committee, having studied the proposed compact for a four-state School for the Blind, including the States of Idaho, Nevada, Wyoming, and Utah, and a four-state school for the deaf for the same states, decided to refer the two compacts to the Western Regional Conference of the Council of State Governments without recommendation

and urged that the four states concerned give the compacts their individual consideration.

(2) The committee, having received an offer from the California School for the Blind to train teachers of parents of pre-school blind children, urges the use of such facilities by the 11 western states and the establishment of pre-school clinics where possible.

Lake Tahoe Problems

The California-Nevada Committee on Lake Tahoe Problems was created in 1949 at the suggestion of officials of both states. Two members from each state were appointed by the chairman of the respective Commissions on Interstate Cooperation. California is represented by Senator Jesse Mayo and Assemblyman Richard McCollister.

Meetings were held in August, 1949, at Al Tahoe, California; in March, 1950, at Sacramento; and in September, 1950, at Brockway, California. The large increase in population of the Lake Tahoe Area in recent years has created many new problems of administering public services. It is apparent that these problems are complicated by the fact that the area is divided by the California-Nevada State Boundary. The committee has attempted to facilitate cooperation by administrative agencies across state lines and to suggest legislation as necessary to solve these problems.

For example, the efforts of the committee have brought about an increased measure of cooperation between the highway departments in snow removal. The fish and game departments are working together on the problem of restocking the lake with fish. Legislation has been prepared to institute a system of reciprocal fishing licenses permitting fishermen to fish anywhere on the lake. (See Appendix I.) Measures have been instituted to aid local authorities in rodent control work. Efforts will be made by Nevada members to secure adoption in 1951 of the Uniform Fresh Pursuit Act, thus improving police protection in the region. The committee is continuing its study of fire protection problems.

The tremendous increase in population, together with the seasonal nature of much of that population poses expensive problems in sanitation control. Some sanitation districts have already been established, but at present no specific statutory authority exists authorizing such districts to contract across state lines. Amending legislation has been prepared for that purpose.

The full report of the California-Nevada Committee on Lake Tahoe Problems, together with its suggested legislation and amendments is attached hereto as Appendix I of this report.

Uniform Laws

The 1949 Session of the California Legislature amended the statute creating the California Commission on Interstate Cooperation to provide that the State Chairman of the Commissioners on Uniform State Laws should be an ex officio member of the Commission on Interstate Cooperation (Calif. Govt. Code, Sec. 8004.5.) Accordingly, Mr. Martin J. Dinkelspiel of San Francisco became a member of the commission upon approval of the amending act by the Governor.

The National Conference of Commissioners on Uniform State Laws is the oldest interstate body in existence, having drafted its first uniform act, the Negotiable Instruments Law, in 1896. Since that time, the conference has drafted a total of 112 acts, many of which have been adopted by the 11 western states. The Assembly Interim Committee on Interstate Cooperation have been instrumental in securing the passage of a number of these acts.

The National Conference of Commissioners on Uniform State Laws is presently engaged in drafting the Uniform Commercial Code, a project which has been in preparation since 1940. This proposed act is designed to replace and revise a considerable portion of the commercial law of the states, including a number of older uniform laws, previously prepared by the conference, and to bring the commercial law in line with modern business practices. It is hoped that the Uniform Commercial Code will be in final form in time to be introduced in the legislatures in 1953. In the meantime, however, it will be introduced into a number of states in 1951 merely for the purpose of submitting it for study by interim committees. To this end, the California Commissioners on Uniform State Laws have held one hearing, in May, 1950, which was attended by representatives of various commercial and banking interests, as well as members of the Assembly Interim Committee on Interstate Cooperation.

In addition to the Uniform Commercial Code, the following listed Uniform Acts will be introduced into the 1951 Session of the California Legislature by the Commissioners on Uniform State Laws, and the California Commission on Interstate Cooperation: Prenatal Blood Test Act; Probate of Foreign Wills Act; Reciprocal Enforcement of Support Act; Trustees Accounting Act; Photographic Copies as Evidence Act; Enforcement of Foreign Judgments Act; Ancilliary Administration of Estates Act; and Transfer of Dependents Act

Regional Higher Education

The Western Governors' Conference, at its meeting in Salt Lake City, in November, 1949, strongly endorsed the principle of closer interstate cooperation in certain fields of higher education, including medicine, dentistry, public health education, and veterinary medicine.

Governor Earl Warren, Chairman of the Conference, appointed a committee to study the problems involved and to formulate recommendations for the next meeting of the Western Governors' Conference. Membership of the Special Committee on Regional Education in the West consisted of Governors Lee Knouse of Colorado, A. G. Crane of Wyoming, Thomas J Mabry of New Mexico, C. A. Robins of Idaho, and Arthur B Langlie of Washington

At the recommendation of the Committee of Governors, A Technical Advisory Committee of two representatives from each of the 12 western states and the Territories of Alaska and Hawaii was appointed, and first met in Salt Lake City on April 28, 1950. Special subcommittees on medicine, dentistry, public health education and veterinary medicine were established at that time to advise concerning the collection of appropriate data on which the Technical Advisory Committee could base its recommendations to the governors. Representing California on this Technical Advisory Committee were Dr Edward S Rogers, Dean of the

School of Public Health, University of California, and Dr. George Hart, College of Veterinary Medicine, Davis, California; and Dr. C. B. Hutchison, Dean of the College of Agriculture, University of California, Berkeley.

The Special Committee of Governors also recommended the appointment of a Legal Committee to consider the methods of implementing the program to be developed by the Technical Advisory Committee. Mr. Thomas Westphal, Jr., Deputy Attorney General represented California on this committee.

The Technical Advisory Committee held meetings in Salt Lake City on April 28, 1950 and in San Francisco on July 28, 1950. Following the latter meeting, on July 29th, the Legal Committee assembled and began work on drafting an interstate compact to carry out the recommendations of the Technical Advisory Committee. This work was completed at a meeting of the Legal Committee in Denver on September 22, 1950. The resulting compact was presented to the Western Governors' Conference at its meeting in Denver on November 10th and 11th. The Governors expressed their approval and agreed to recommend it to their respective legislatures in 1951.

The plan contemplates the establishment of an Interstate Commission to act as a clearing house. Qualified students from participating states and territories will be placed, by the commission, in institutions offering adequate professional and graduate educational opportunities. The commission would be authorized to enter into contracts with various schools in the region offering professional and graduate education. Such contracts would provide that the schools would accept a certain number of qualified students, in return for which the schools would be paid on a specified cost per student per year basis. The commission would also contract with such states and territories in the region who desire to purchase such educational services The net effect is to permit the smaller states which do not have such educational facilities to purchase the services for qualified students, without the necessity of building and maintaining their own schools. The proposed compact will be found in Appendix II

Legislative Service Conference

The Legislative Service Conference was organized in 1948 to provide interstate cooperation for legislative service agencies. This, in turn, leads to more effective service to the legislatures and aids in improving legislative processes and procedures. Its membership consists of legislators who are officers of legislative service agencies, legislative librarians and reference officials, legislative research officials, statutory and code revisors, and legislative drafting officials of the states and territories. California has been represented by the Legislative Counsel. The 1949 meeting was held October 27-28 in Chicago, and the 1950 meeting on September 28-30 in Washington, D. C.

The conference has covered a wide range of topics at these meetings. The 1950 meeting was held in the Library of Congress, and members were able to gain a closer insight into the workings of the legislative

research functions of that organization. Round-table discussions permit exchange of views and experiences. Among the subjects which have received attention from the conference are: Legislative aids, budgets, codification and drafting, library services, distribution of bills and reports, functions of legislative councils, and assistance with the appropriation function.

Conference on State Governmental Reorganization

Representatives of state and territorial reorganization agencies met in Chicago on September 29-30, 1949. Revival of interest in governmental practices and procedures has been stirred by expanding costs of government, increased demands for public services, overlapping and duplication of functions and many other factors. During 1949, 20 states and two territories authorized studies of their governmental organization and operation.

Three principal questions were considered by the conference:

1) How should the state government survey be organized and conducted?

2) What generally accepted principles of state government organization might be embodied in the survey agency's recommendations?

3) What fact-finding, research, and information distribution services can be undertaken centrally by the council of State Governments to assist all of the state survey groups?

This conference achieved a great deal in developing the thinking of interested officials on all phases of governmental reorganization. Included in the agenda were discussions of the objectives of reorganization, selection of any agency and methods of carrying out the necessary research, scope of the study, and means of selling reorganization plans to the public and legislature for enactment.

Pacific Coast Fisheries

The Assembly Interim Committee on Interstate Cooperation calls attention to the continuing cooperative work with regard to the important Pacific marine fisheries among the States of California, Oregon, and Washington, working through the Pacific Marine Fisheries Commission. This agency was sponsored by the Commissions on Interstate Cooperation of the three states, leading to the formation of a compact for the purpose of joint operation.

Among the studies and recommendations which have been made by the commission in the past year are those concerning: Salmon fisheries, otter trawl fisheries, soupfin shark, tuna, sardines, and sablefish. In addition, work has been done looking toward revision of the International Halibut Treaty. Considerable work has been done on drafting a Convention for the Extension of Port Privileges to Fishing Vessels in Alaska and British Columbia. Representatives of the commission have taken part in preparation of treaties relating to tuna fisheries with Mexico and Costa Rica.

Changes in California regulations which have been made in cooperation with the Pacific States Marine Fisheries Commission or at the suggestion of the commission are:

1) The Pacific Marine Fisheries Compact has been continued indefinitely.

2) State boundaries have been changed to include islands, and intervening waters, and trawl areas have been clarified to conform with this change.

3) A uniform crab season has been established, November 15th to July 31st.

4) Alternate troll salmon regulations recommended by the commission have been adopted.

5) Repeal of prohibition against landing shark livers without carcasses.

6) Establishment of a 4½ minimum mesh limit for otter trawl gear.

7) Repeal of sales tax on fishing boats.

APPENDIX 1

REPORT OF CALIFORNIA-NEVADA COMMITTEE ON LAKE TAHOE PROBLEMS

After considerable study, the California-Nevada Committee on Lake Tahoe Problems has come to the conclusion that for the present, at least, the administrative problems of the Lake Tahoe area can best be handled by closer cooperation between the States of California and Nevada and among the various local governmental agencies concerned, aided where necessary by federal representatives performing pertinent functions in the area.

In this connection, the committee suggests that legislation be enacted to facilitate such cooperation across the state boundary in the area. It is felt that particular attention should be directed to the problems of fire protection and sanitation.

Fire Protection

Both states have legislation authorizing the creation of fire protection districts, and the issuance by such districts of bonds to pay for equipment and supplies. Such bonds are payable from taxes. Consequently, the problem is not to provide the machinery of fire protection so much as the means of pooling resources and equipment to meet major emergencies around Lake Tahoe. In this instance, however, the situation is complicated by the problem of working out some method of permitting equipment and personnel of one district to cross over the state line and operate in another state when necessary.

California presently has statutory authority for cooperation among various local governmental units, and it is probable that with the exception of a minor amendment, no further legislative enactments will be required in California. The "Joint Exercise of Powers Act" found in the California Government Code, Sections 6500 et seq., provides that any public agencies may agree to exercise their common powers jointly.

The California Attorney General has held that this act, for example, permits fire protection districts in Santa Barbara County to enter into mutual aid fire protection agreements with the County of Ventura. (14 A G. 75, Op. Nr. 49-35). The act makes no reference to contracting across state lines. Therefore, in order to clarify this point, Section 6502 might be amended to read as follows:

> "6502. Public agencies may agree to exercise powers jointly. If authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties, *even though one or more of the contracting agencies may be located outside this State.*"

It would, of course, be highly desirable, perhaps necessary, that where one of the contracting parties is located in another state, the adjoining state should have legislation of a substantially similar character. Therefore, the California-Nevada Committee on Lake Tahoe Problems recommends the passage by the Nevada Legislature in 1951 of the same statute or one substantially similar thereto See *Appendix I.*

Sanitation

Passage of an act such as that suggested above, by the State of Nevada, and the amendment of the California statute would also seem to facilitate closer cooperation in the field of sanitation It will be observed that the Joint Exercise of Powers Act provides in Section 6502 for the joint exercise of "any power common to the two contracting parties." Consequently, it seems clear that the act should also cover this situation.

The Nevada "Water and Sewer Revenue Bond Law of 1949" (Statutes of Nevada, 1949, Chapter 129) provides in Section 4(2) that any municipality is given power:

> "To operate and maintain any undertaking for its own use and for the use of public and private consumers, and users within and without the territorial boundaries of the municipality."

Section 3 of the same act defines "municipality" as:

> "* * * any city, unincorporated city or town, county, county sewer and/or water improvement district, or any sewage and/or water and/or garbage disposal district."

The comparable California law is entitled "Sanitation, Sewer, and Water Bond Law of 1941" found in the 1949 Supplement to the Government Code, Section 54300 et seq Section 54342 of the California act corresponds to Section 4(2) of the Nevada act quoted above. The term "local agency" in the California act corresponds generally with "municipality" in the Nevada act. It includes the following: City, county, city and county, municipal utility district, public utility district, sanitary district, county sanitary district, sanitation district, or any municipal or public corporation or district which is authorized to acquire, construct, own or operate a sanitation system or sewer system or both.

It does not seem likely that a sanitation district in one of the states would extend its own lines into another state in order to sell its services to individual consumers. However, by means of the legislation under consideration here, it would be possible for a district in one state having certain sanitation or sewage facilities, to contract to sell a certain proportion of its capacity to a district in another state. Thus the second district would construct and maintain its own lines, while connecting with the lines of the first district. Consequently, the committee believes that the above recommendations will go far toward extending the excellent cooperation which already exists among local government agencies in the Lake Tahoe area.

Criminal Jurisdiction

It is an accepted doctrine of constitutional law that the Federal Government possesses only those powers which are granted to it by the United States Constitution. All other powers are reserved to the states. Nothing in the Federal Constitution denies to the states the power to exercise police powers over waters within their boundaries, and therefore they may impose such regulatory measures as may be necessary. The regulation of hunting and fishing provides an example of the use of police powers of the states over such waters The only restriction on such power is that it must not conflict with federal legislation, for the Federal Government may also exercise certain jurisdiction over navigable waters within the State by virtue of its power to regulate interstate and foreign commerce, and to regulate navigable waters of the United States. The criminal jurisdiction of the Federal Government as it relates to the waters of Lake Tahoe is defined by the Motor Boat Act of 1940, 46 U. S. C. A. 526(1), 526(m).

As pointed out, the States of California and Nevada have a concurrent power in this regard. California has enacted legislation in Sections 267 and 268 of the Harbors and Navigation Code in the use of such power. See *Appendix II*. These sections clearly give local authorities the power to make and enforce such regulations as may be necessary to govern the operation of power boats on the waters of Lake Tahoe. Such regulations have not as yet been drawn up. However, regulations would not be particularly meaningful in the absence of similar action by Nevada authorities.

At present, Nevada has no legislation which would permit local authorities to enact such regulations. The committee therefore recommends that the Nevada Legislature enact provisions comparable to Sections 267 and 268 of the California Harbors and Navigation Code in order to provide local officials with sufficient power to regulate the operation of boats on Lake Tahoe.

Uniform Fresh Pursuit Act

In order to improve police protection in the Lake Tahoe area, as well as along the entire California-Nevada Boundary, the committee recommends the passage by the Nevada Legislature of the Uniform Fresh Pursuit Act.

This act, drafted by the National Conference of Commissioners on Uniform State Laws, permits a police officer of one state when in fresh pursuit of a criminal to continue across the state line if necessary, to apprehend the offender. This act is already in force in California.

Fishing Licenses

A considerable degree of cooperation presently exists between the Fish and Game Commissions of the respective states, particularly in regard to steps being taken to re-stock the lake with fish. In addition however, it is felt that the licensing and policing of fishing on the lake would be greatly simplified if some arrangement could be made for reciprocal licensing. Thus, a fisherman purchasing a license in California would be entitled to fish in all parts of the lake without the necessity of also purchasing a Nevada license and vice versa.

Therefore, the committee recommends that the Legislatures of Nevada and California enact measures permitting the Fish and Game Commissioners of the two states to set up such a system. The details of the arrangement would be left to the commissions to work out by negotiation. A suggested bill for this purpose will be found in *Appendix III.*

General Comment

The committee heard from local residents and representatives of each of the levels of government on pertinent problems. It found that: (1) On current and potential water supply, much had been worked out by the State Engineers of both states. (2) In connection with suppression of field rodents harboring diseases transmissible to humans, state, federal and local agricultural, health and wildlife agencies well understood the problem, which resulted in effective efforts. (3) There was a real consciousness on the advisability of adequate use of zoning authority in anticipation of population increase, both seasonal and permanent.

Appendix I

California Government Code S. 6500 et seq. Joint Exercise of Powers

6500. What "Public Agencies" include. As used in this article, "public agency includes the Federal Government or any federal department or agency, the State or any state department or agency, a county, city, public corporation, or public district.

6501. Agreements without approval of Department of Finance or Director of Finance not authorized. This article does not authorize any state officer, board, commission, department, or other state agency or institution to make any agreement without the approval of the Department of Finance or the Director of Finance if such approval is required by law.

6502. Public agencies may agree to exercise powers jointly. If authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties.

6503. Purpose, power to be exercised, and method to be stated. The agreements shall state the purpose of the agreement or the power to be exercised. They shall provide for the method by which the purpose will be accomplished or the manner in which the power will be exercised.

6504. Contributions or payments from public funds may be provided for: Payments and disbursements. The parties to the agreement may provide that (a) contributions from the treasuries may be made for the purpose set forth in the agreement or (b) payments of public funds may be made to defray the cost of such purpose. The funds may be paid to and disbursed by the agency agreed upon.

6505. Accountability of funds: Reports of receipts and disbursements. The agreement shall provide for strict accountability of all funds and report of all receipts and disbursements.

6506. Agency to administer or execute agreement: What to be. The agency provided by the agreement to administer or execute the agreement may be one of the parties to the agreement or a commission or board constituted pursuant to the agreement.

6507. Same: Agency is separate entity from parties to agreement. For the purposes of this article, the agency is an entity separate from the parties to the agreement.

6508. Same: Possession and exercise of common power. The agency shall possess the common power specified in the agreement and may exercise it in the manner or according to the method provided in the agreement.

6509. Same: Restrictions upon manner of exercise Such power is subject to the restrictions upon the manner of exercising the power of one of the contracting parties, which party shall be designated by the agreement.

6510. Continuation of agreement: Provision for method of rescission or termination. The agreement may be continued for a definite term or until rescinded or terminated. The agreement may provide for the method by which it may be rescinded or terminated by any party.

6511. Provision for disposition, division, or distribution of property acquired. The agreement shall provide for the disposition, division, or distribution of any property acquired as the result of the joint exercise of powers.

6512 Provision for return of surplus moneys. The agreement shall provide that after the completion of its purpose, any surplus money on hand shall be returned in proportion to the contributions made.

6513. Privileges, immunities, exemptions, and benefits applicable to officers, agents or employees of public agents to apply in performance of functions and duties extraterritorially All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limis of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this article.

Appendix II

Harbors and Navigation Code of the State of California

267. Operation of power boat at more than five nautical miles per hour in certain areas prohibited: Application of section. Every owner, operator, or person in command of any power boat, is guilty of a misdemeanor who operates it or permits it to be operated at a speed in excess of five nautical miles per hour in any of the following areas:

(a) Within 100 feet of any person who is engaged in the act of bathing.

(b) Within 200 feet of any:

(1) Beach frequented by bathers.

(2) Swimming float, diving platform, or life line.

(3) Way or landing float to which boats are made fast or which is used for the embarkation or discharge of passengers.

The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code. (Added by Stats 1949, Ch. 566, Sec. 2.)

268. Restrictions concerning power boats by counties and cities: Permits for motorboat races: Application of section. Counties or cities may make further restrictions concerning the navigation and operation of power boats, and may grant permits to bona fide yacht clubs or civil organizations to conduct motorboat races over courses established, marked, and patrolled by authority of the United States Coast Guard, city harbor master, or other officer having authority over the waters on which a race is proposed to be conducted and on such days and between such hours as may be approved by the officer

The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code. (Added by Stats. 1949, Ch 566, Sec. 2.)

Appendix III

SECTION 1. The State Board of Fish and Game Commissioners is hereby authorized and directed to enter into negotiations with the State Fish and Game Commissioners of the State of _____, and with such local agencies in that State as may be necessary, to permit persons fishing in the waters of Lake Tahoe to do so when licensed by either the State of California or the State of Nevada, upon such conditions as may be agreed upon.

SEC. 2. When the said Board of Fish and Game Commissioners succeeds in concluding an agreement which, in the exclusive judgment of the said board, is satisfactory, then, and in that event, persons holding a valid fishing license from either the State of California or the State of Nevada, are hereby authorized to fish in the waters of Lake Tahoe upon such terms and upon the fulfillment of such conditions as may be provided in the said agreement.

SEC. 3. Such agreement shall pertain only to the waters enclosed within the shoreline of Lake Tahoe, and shall in no way affect the licensing requirements for fishing in streams tributary to or flowing from Lake Tahoe.

APPENDIX 2

WESTERN REGIONAL HIGHER EDUCATION COMPACT

Article I

WHEREAS, The future of this Nation and of the Western States is dependent upon the quality of the education of its youth; and

WHEREAS, Many of the Western States individually do not have sufficient numbers of potential students to warrant the establishment and maintenance within their borders of adequate facilities in all of the essential fields of technical, professional, and graduate training, nor do

all of the states have the financial ability to furnish within their borders institutions capable of providing acceptable standards of training in all of the fields mentioned above; and

WHEREAS, It is believed that the Western States, or groups of such states within the region, cooperatively can provide acceptable and efficient educational facilities to meet the needs of the region and of the students thereof; now, therefore,

The States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, and the Territories of Alaska and Hawaii, Do hereby covenant and agree as follows:

Article II

Each of the compacting states and territories pledges to each of the other compacting states and territories faithful cooperation in carrying out all the purposes of this compact.

Article III

The compacting states and territories hereby create the Western Interstate Commission for Higher Education, hereinafter called the commission. Said commission shall be a body corporate of each compacting state and territory and an agency thereof. The commission shall have all the powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states and territories.

Article IV

The commission shall consist of three resident members from each compacting state or territory. At all times one commissioner from each compacting state or territory shall be an educator engaged in the field of higher education in the state or territory from which he is appointed.

The commissioners from each state and territory shall be appointed by the governor thereof as provided by law in such state or territory. Any commissioner may be removed or suspended from office as provided by the law of the state or territory from which he shall have been appointed.

The terms of each commissioner shall be four years; provided however that the first three commissioners shall be appointed as follows: one for two years, one for three years, and one for four years. Each commissioner shall hold office until his successor shall be appointed and qualified. If any office becomes vacant for any reason, the governor shall appoint a commissioner to fill the office for the remainder of the unexpired term.

Article V

Any business transacted at any meeting of the commission must be by affirmative vote of a majority of the whole number of compacting states and territories.

One or more commissioners from a majority of the compacting states and territories shall constitute a quorum for the transaction of business.

Each compacting state and territory represented at any meeting of the commission is entitled to one vote.

Article VI

The commission shall elect from its number a chairman and a vice chairman, and may appoint, and at its pleasure dismiss or remove, such officers, agents, and employees as may be required to carry out the purpose of this compact; and shall fix and determine their duties, qualifications and compensation, having due regard for the importance of the responsibilities involved.

The commissioners shall serve without compensation, but shall be reimbursed for their actual and necessary expenses from the funds of the commission.

Article VII

The commission shall adopt a seal and by-laws and shall adopt and promulgate rules and regulations for its management and control.

The commission may elect such committees as it deems necessary for the carrying out of its functions.

The commission shall establish and maintain an office within one of the compacting states for the transaction of its business and may meet at any time, but in any event must meet at least once a year. The chairman may call such additional meetings and upon the request of a majority of the commissioners of three or more compacting states or territories shall call additional meetings.

The commission shall submit a budget to the governor of each compacting state and territory at such time and for such period as may be required

The commission shall, after negotiations with interested institutions, determine the cost of providing the facilities for graduate and professional education for use in its contractual agreements throughout the region.

On or before the fifteenth day of January of each year, the commission shall submit to the governors and legislatures of the compacting states and territories a report of its activities for the preceding calendar year.

The commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by the governor of any compacting state or territory or his designated representative. The commission shall not be subject to the audit and accounting procedure of any of the compacting states or territories. The commission shall provide for an independent annual audit.

Article VIII

It shall be the duty of the commission to enter into such contractual agreements with any institutions in the region offering graduate or professional education and with any of the compacting states or territories as may be required in the judgment of the commission to provide adequate services and facilities of graduate and professional education, for the citizens of the respective compacting states or territories. The commission shall first endeavor to provide adequate services and facilities in the fields of dentistry, medicine, public health, and veterinary medicine, and may undertake similar activities in other professional and graduate fields.

For this purpose the commission may enter into contractual agreements—

(a) With the governing authority of any educational institution in the region, or with any compacting state or territory, to provide such graduate or professional educational services upon terms and conditions to be agreed upon between contracting parties, and

(b) With the governing authority of any educational institution in the region or with any compacting state or territory to assist in the placement of graduate or professional students in educational institutions in the region providing the desired services and facilities, upon such terms and conditions as the commission may prescribe.

It shall be the duty of the commission to undertake studies of needs for professional and graduate educational facilities in the region, the resources for meeting such needs, and the long-range effects of the compact on higher education; and from time to time prepare comprehensive reports on such research for presentation to the Western Governors' Conference and to the legislatures of the compacting states and territories. In conducting such studies, the commission may confer with any national or regional planning body which may be established. The commission shall draft and recommend to the governors of the various compacting states and territories, uniform legislation dealing with problems of higher education in the region.

For the purposes of this compact the word "region" shall be construed to mean the geographical limits of the several compacting states and territories.

Article IX

The operating costs of the commission shall be apportioned equally among the compacting states and territories.

Article X

This compact shall become operative and binding immediately as to those states and territories adopting it whenever five or more of the States or Territories of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska, and Hawaii have duly adopted it prior to July 1, 1953. This compact shall become effective as to any additional states or territories adopting thereafter at the time of such adoption.

Article XI

This compact may be terminated at any time by consent of a majority of the compacting states or territories. Consent shall be manifested by passage and signature in the usual manner of legislation expressing such consent by the legislature and governor of such terminating state. Any state or territory may at any time withdraw from this compact by means of appropriate legislation to that end. Such withdrawal shall not become effective until two years after written notice thereof by the governor of the withdrawing state or territory accompanied by a certified copy of the requisite legislative action is received by the commission. Such withdrawal shall not relieve the withdrawing state or territory from its obligations hereunder accruing prior to the effective date of withdrawal.

The withdrawing state or territory may rescind its action of withdrawal at any time within the two year period. Thereafter, the withdrawing state or territory may be reinstated by application to and the approval by a majority vote of the commission.

Article XII

If any compacting state or territory shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder, shall be suspended from the effective date of such default as fixed by the commission.

Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state or territory by affirmative vote of three-fourths of the other member states or territories.

Any such defaulting state may be reinstated by: (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and the approval by a majority vote of the commission.

CONCLUSION

Your interim committee concurs in the recommendations of the regional committees as set forth herein. These recommendations follow the main conclusions and recommendations of the full California Commission on Interstate Cooperation.

Bills to accomplish the necessary legislative changes are being introduced simultaneously in the Assembly.

Respectfully submitted,

HON. RICHARD H. McCOLLISTER, Chairman
HON. JAMES G. CRICHTON
HON. JOHN W. EVANS
HON. VINCENT THOMAS
HON. JOHN F. THOMPSON

PRELIMINARY REPORT

ASSEMBLY INTERIM COMMITTEE ON MILITARY AFFAIRS

January 12, 1951

DEAR MR. SPEAKER: Pursuant to the authorities and duties imposed upon your Interim Committee on Military and Veterans Affairs, as set forth in House Resolution No. 217 of the 1949 Regular Session, your committee herewith submits its preliminary report. Those interested will notice that our main efforts were expended on an analysis of the need and necessity of the construction of new armories for the housing of those units of the National Guard assigned to our State. In this report we are also giving a brief resumé of the traffic usual to our subject matter and an outline of the activities in which our committee members have engaged as liaison officers between the State Government and the

various veteran organizations. We also report to you on a hearing we held following announcement of the Korean hostilities with reference to the civilian defense organization in California.

IN GENERAL

Your committee has served the public and members thereof who are California veterans in handling the volume of correspondence equal to a request per day for farm and home purchase loans, civil service credits, and the various benefits to which our veterans are entitled. We have done this in the regular course of business, feeling that this traffic is the type of service expected of our committee. Comparatively speaking, these services are of a minor nature and no attempt is made herewith to submit the personal circumstances and details surrounding each veteran asking our assistance It is sufficient to report that each case was serviced, and the corresponding veteran was aided through our contact with the officials of the State Government, and in those cases where a hearing became necessary the veterans were scheduled before our public meetings. We can report to you that our service in this connection was 100 percent satisfactory and that the Legislature as a whole should take credit for the work done. Those wishing data on individual cases may make specific inquiry from our chairman.

CIVILIAN DEFENSE

It is well recognized that the participation of this Nation in the war in Korea brought us to a military consciousness, and, in keeping with the time, your Committee on Military Affairs hastily assembled a meeting of the civilian defense authorities and a full hearing was undertaken in Sacramento during the first week of August, 1950. Our leading witness was Mr. Burton Washburn, Secretary of the California State Disaster Council, and our hearing was overwhelmingly patronized by representatives of local governments, including the Association of District Attorneys, League of California Cities, American Legion, Veterans of Foreign Wars, Disabled American Veterans, Association of County Supervisors, the Peace Officials Association, the Association of California Fire Chiefs and other units interested in civilian defense. Our meeting was also officially attended by officers of the Army coming from the Sixth Army Headquarters at the San Francisco Presidio, and the official message of these officers was the stark statement that the Army considered civilian defense to be a domestic matter.

A full transcript of this meeting is available for those interested, but in this report your committee does not feel it necessary to relate the discussions in detail since the developments along this line have now taken on a federal pattern, and, as set forth at a subsequent meeting of the 11 western states which was attended by members of your committee at Santa Fe, New Mexico, in October, 1950, cooperation between the Federal Government and the various states is being accomplished.

We wish you to know that your committee felt completely satisfied with the manuals of training and planning prepared by the State Disaster Council. It was obvious in August, 1950, that California was well ahead of the other states in the Union in the matter of civilian defense

activities. Furthermore, during our special session in September, 1950, we enacted the model Civilian Defense Laws recommended by the National Security Resources Board.

There are two remaining problems of great magnitude.

1. Enlistment of the interest of the man-of-the-street type of civilian defense workers in keeping with the plans already formulated.

2. Matters of financial agreements between the various levels of government for the payment of expenses and capital outlay necessary to give this state an adequate civilian defense program.

The mutual aid agreements between municipalities and counties have been well executed in the planning stage. Likewise, the exchange of interstate mutual aid agreements has been well accomplished. We are in the position of having an excellent plan, but no working population in the movement; nor do we have yet a working arrangement for finances.

Your committee does not herewith attempt to prescribe or recommend the necessary financial arrangement since, as this report is being written, the Federal Congress is in the process of making a large appropriation for civilian defense and various meetings are in progress between cities, counties, and the State, for the determination of the proper proportion of expenditures. Also, your committee anticipates that Governor Warren will propose amendments and appropriations in support of the civilian defense program.

Our own bills in support of uniformity of identification for workers, and a matching basis for financial expenditures between the various levels of government, are being introduced concurrently with this report.

NATIONAL GUARD ARMORIES

As stated in the opening portion of this report, the main undertaking of your Interim Committee has been to examine the need and necessity for the expenditure of state funds in the furtherance of the National Guard Armory program. For this purpose we employed Mr. Lynn S. Coe, a most experienced investigator who has done work for this committee for several years past. Mr. Coe was detailed to scrutinize the circumstances in every community where the Adjutant General has suggested a need of an armory, and we feel that his insight of circumstances at each location, as reported herewith, will be of immeasurable benefit to the entire Legislature in their determination and allocation of state funds.

You all know that the National Guard is raised, trained, officered, and housed by the State. However, it is equipped, paid, and supervised by the Departments of Army and Air Force. The California responsibility consists of:

40th Infantry Division
49th Infantry Division
61st Fighter Wing
62nd Fighter Wing
112th A.A.A. (Anti Aircraft) Brigade
114th A.A.A. Brigade
First Provisional Brigade
State Headquarters and Headquarters Detachment

There are 362 units now activated and located in the various cities and towns throughout our State, with the exception of those belonging to the 40th Infantry Division (Southern California) which was, in September of 1950, called into active federal service The remaining units are still our responsibility and they suffer the handicap of inadequate housing (armories) to the extent that the Federal Government will not authorize the assignment of ordnance, mobile equipment, practice armament, and in some cases even uniforms, because our locations have no facilities for storage. This actually leaves our National Guard in a pathetic condition, and demonstrates that it is most essential for us to proceed with the construction of armory facilities.

It will be recalled that in a move of would-be economy approximately one-half of our armory program was eliminated during the 1949 Session of the Legislature, leaving our State with some 40 or 50 required armories without funds for their construction. Therefore, your committee instructed Mr. Coe to examine 45 communities in keeping with the armory proposals of the Adjutant General. A paragraph on the condition of each community examined now follows in this report·

ALHAMBRA (Hq. & Hq. Company, 3d Bn., 223d Infantry Regiment)

The present facilities are housing five units of the National Guard, with a total strength of approximately 600 men and officers. The building is totally inadequate and perhaps the most crowded condition found in the entire inspection Strong rooms for the storage of ordnance and weapons are entirely inadequate and with very poor security. Several break-ins have occurred with the loss of small arms and a machine gun. The men have no inside area for assembly. Class rooms are totally inadequate because of size, and an outside area poorly lighted is the only drill area available. This building is the administration building of an old abandoned airport and was the only available location in the City of Alhambra. From a rental standpoint alone, it would seem good business that this armory be constructed. The State is paying a rental of $500 per month on this location. Community interest in the National Guard is excellent. A site has been offered of approximately five acres and is now in the process of acquisition. Required motor vehicles have not been issued, due to the lack of a motor pool. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950)

ANAHEIM AND FULLERTON (Co. K and Co. M, 224th Infantry Regiment)

It has been proposed, due to the close proximity of these two cities, that an armory be constructed for joint occupancy of the Anaheim and Fullerton units. Both units have been recruited to nearly authorized strength, and present facilities are entirely inadequate. These are heavy weapons companies and much of the equipment necessary for their training program has not been issued due to the lack of storage facilities. These two units have a strength of 278 enlisted men and five officers. At the present time the rentals covering the two locations total $325 per month. Here again it would seem, considering the rental paid and the lack of facilities, only good policy for the State to construct its own building. Armory would be located on a site already granted. Required motor vehicles have not been issued due to lack of motor pool.

BAKERSFIELD (Hq. & Hq. Co., 3d Bn., 185th Infantry Regiment)

Two units and battalion headquarters of the 185th Regiment are now quartered in an old county fair building, and while assembly and drill space is adequate, supply and strong rooms do not meet Federal requirements, and there have already been three break-ins with a loss of equipment and arms. The training program is hampered because of the lack of proper weapons and equipment for training purposes. The building is of a very temporary nature, with no heat, and stands on the old county fair grounds which is being abandoned. It is proposed that all buildings on this site be removed immediately after the 1950 Kern County Fair, which means that these two units will be left without any quarters in which to carry on their program. The community interest is excellent and a site has been granted on the new fair grounds which will be constructed south of the city, and arrangements have been made whereby the fair would participate in the construction of the armory building, making it possible to construct a much larger building than proposed by the Adjutant General, and allowing its use as an exhibit building during the time of the fair only. Inasmuch as this is at a time of the year when it is possible to conduct training programs outside, it would in no way interfere with the program of the National Guard units. Required motor vehicles have not been issued due to the lack of a motor pool. Its present strength is 157 enlisted men and 16 officers. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

BARSTOW (Hq. & Hq. Co. & Service & Medical Detachment Co., and 140th Headquarters Tank Battalion)

This unit is now meeting in the high school building. Quarters are inadequate and pressure is being brought to bear by the school board for their removal, due to the fact that the increase in school registration requires the use of these facilities. At the present time the strength is 16 officers and 91 men, which will be increased by the transfer of units to this armory as soon as the armory is constructed. At the present time a rental of $250 a month is being paid to the school board for these facilities which are inadequate and holding up reorganization of the forces in this area

BRAWLEY (111th Armored Cavalry Regiment—Light)

This unit is now meeting in the American Legion Memorial Building with an orderly room, strong room, and supply room adequate for the present strength of 45 enlisted men and one officer. This unit is one of the last to be activated and is growing. A class room is available within the Legion Building, but drill must be carried on in an outside area which is floodlighted poorly. No motor pool is available so the unit has not been able to draw the motor equipment to which it is entitled and should have. With its present strength, facilities are perhaps adequate for the time being, but, as they approach their authorized strength, they will be totally inadequate. An outright grant of sufficient property for armory construction has been offered to the State and will be forwarded to the Department of Finance for approval.

BANNING AND BEAUMONT (Co. H, 224th Infantry Regiment)

It has been proposed that an armory be constructed in Banning to serve the community surrounding and including Beaumont. At the present time they are housed on the second floor of a store building, and while they have an assembly room, it is very small and inadequate. Class rooms are not available. Supply and strong rooms are inadequate. No lockers and shower rooms. No heating facilities for main area and at the time the inspection was made, weather conditions were such that temperature in the main assembly room was too cold for use. Community interest in this unit is high and the City of Banning has purchased an ample site approximately two miles from Banning in the direction of Beaumont, which would place the armory near the center of its area. As an instance of interest shown in the National Guard, some of their men travel as far as 60 miles to attend drills. There is no vehicle pool and such equipment as they have has been issued only through a relaxation of rules by the Federal Government. Their present strength is 99 men and three officers.

CALEXICO (Co. C, 111th Armored Cavalry Regiment—Light)

This unit is at present housed in the American Legion Building which is an old residence. It is totally inadequate with no facilities for lockers, showers, etc., and very inadequate supply and strong rooms. This unit, in order to carry on a proper training program, should have sufficient motor equipment and light tanks, half tracks, etc., which it is impossible to issue, due to the lack of a motor pool which would meet federal requirements. About all the present location provides is a classroom, orderly room, and, as mentioned, supply and strong rooms which would seem not to meet even minimum requirements. Enlistment in this area has been seriously hampered by the lack of training facilities and adequate armory space. During World War II it was necessary to maintain this company of the State Guard on active duty for the protection of the irrigation project, etc. Situated as it is on the border across from Mexicali, a city of approximately 85,000 people, it seems to be one of the most important of all we have to consider from the standpoint of the location of an armory. The City of Calexico has offered an outright grant of property, with the appraised valuation of $13,000 to the State for armory purposes. This site is well situated and would provide ample space for armory construction, motor pool (sufficient to house vehicles ordinarily assigned to this type of unit) and sufficient outside area for training purposes. It is situated adjacent to a very fine rifle range, permission for the use of which has been granted to the unit. It is the belief of your investigator that construction of an armory at this point is a must, both from a psychological standpoint, as well as tactical. Community interest, as well as the morale of the personnel of this unit, is excellent. The present strength is five officers and 59 men. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

CONCORD-MARTINEZ (49th Quartermaster Company)

This unit is at present being housed in a club building on the outskirts of Concord where there are no locker rooms, and inadequate supply and strong rooms do not permit issuance of full quota of equipment. This unit is at nearly authorized strength and when the building was acquired for armory purposes some time ago, it was, perhaps, ample for the strength at that time. It now has a strength of 121 men and 10 officers, which makes the building totally inadequate to care for this number. Being a unit of this nature, most of its equipment is motorized, comprising two and a half ton trucks and smaller vehicles which at the present are parked in an unpoliced yard, contrary to federal regulations, where entry can be had by practically everyone; and when your investigator visited the place it was a veritable mud hole and impossible for proper maintenance of these vehicles. The entire community, with a population of some 25,000 people to draw from, is solidly behind this unit and were instrumental in having it removed from the City of Martinez, where very little interest was apparent. They have gone so far as to offer to the State a site of a little over three acres, which is an ideal location near the center of the city, and have changed their program to extend this facility to the site that has been offered as an outright grant to the State for this armory construction. At present a rental of $97 per month is being paid for the inadequate premises now being occupied. Present strength of the outfit is nine officers and 118 men. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

EL MONTE AND ROSEMEAD (Heavy Tank Co., 223d Infantry Regiment)

At present this company is housed in one end of a small municipal building in El Monte with only an orderly room and very inadequate supply and strong room, neither of which meet minimum federal requirements. Being a heavy tank company, any training program depends upon the issuance to the outfit of this type of equipment which so far has been denied them due to the lack of proper motor pool. Community interest in this organization is excellent. Its present strength is 93 men and three officers. With proper facilities there is no question but that it would meet its authorized strength in a very short time. Conditions in this case certainly warrant the construction of a state-owned building.

ESCONDIDO AND SAN MARCOS (Battery D, 140th A. A. A. A. W. Bn.)

At the present time this unit is being quartered in the American Legion Building where supply room and strong room are inadequate. No locker room or such facilities are available. The drill area is very small and the use of the street is the only possibility of an outside area. It has been necessary to borrow equipment from Vista, California, a distance of some twelve miles, in order to have anything available on drill nights. This necessitates picking up same and returning same on drill evenings, due to the fact there is no available motor pool. The community interest in this unit is the very highest found on this entire inspection. The unit itself has had a very fine influence on the youth of Escondido, and has proven to have the great effect of curbing juvenile delinquency. The present building was constructed by volunteer labor, is approximately three stories high, with no steel reinforcements in the brick walls—pilasters are set on hollow tile and the building has been considered so unsafe as to have been condemned for further use. The unit

here has been allowed to use it by the city pending condemnation, but we do not believe that the State should permit the use of this building by the National Guard organization because of its unsafe nature. An outright grant of ample acreage for construction of an armory and all other facilities has been offered and is now in the process of acceptance by the Department of Finance. Approximate value of this property is $5,750. Present strength consists of 66 men and three officers.

FAIRFAX-SAN RAFAEL-SAN ANSELMO (Co. D, 579th Engr. Comb. Bn.)

This unit has sufficient drill space at present in the Fairfax Pavilion. Storage and office space is very limited, with no provision or possible solution to the problem of storing heavy type equipment which is necessary in the training program of an engineer unit As a result, the progress of a growing unit, which has received considerable support from all communities in Marin County, has been greatly retarded. Land has been set aside for armory purposes on an outright grant basis and is now pending in the office of the Adjutant General. The vulnerability of Marin County in case of disaster, both domestic and national, is a vital factor in the consideration of an armory at this point. The present strength of this unit is four officers and 60 men.

FONTANA AND RIALTO (Co. A, 224th Infantry Regiment)

The present facilities provide for only an office, approximately 8 by 10, which serves as an orderly room. A strong room is provided approximately 150 yards from the office which is adequate for the storage of ordnance and small weapons, but lacks sufficient space for storage of supplies, clothing, and such. Classroom available in Legion Hall when not being used for other purposes. Outdoor area available but not lighted, making it very difficult to carry on any comprehensive training program. A land grant has been offered to the State and is now in the process of completion.

GLENDALE (Co. B and Co. C, 223d Infantry)

At the present time two companies of the 223d Infantry are meeting in Glendale and it is planned that this eventually be made a battalion headquarters, housing some four or five units. The facilities now consist of a small building which is partitioned down the middle and provides for a combination supply and ordnance store room, and a small orderly room, or office. All training programs must be carried on out of doors as there is no shelter for the men in bad weather. Permission has been granted for use of classrooms in a nearby school. This is perhaps one of the worst cases for lack of facilities found during this inspection. The morale of the troops is excellent and surprising, in view of the lack of facilities. Most of the improvements which have been made in the building have been paid for by the officers of the unit. The outer area, which is used for drill, is not paved or gravelled, and in case of wet weather the men are forced to get out there in the mud because, unless drill is held federal pay for that drill period is denied. The only motor equipment which has been issued these units is a jeep used jointly by the two companies. The City of Glendale has offered a site on Colorado Street ample for all purposes, and I believe that a fair estimate of its value will be

approximately $50,000. We believe in this case that an armory is absolutely necessary if we are to continue this organization. UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

GARDENA (Bat. C, 720th A. A. A. Gun Bn.)

This unit is now being housed in an old garage building with temporary type construction. While they have done everything possible to make this building more usable, the type of construction makes it impossible for it to conform to even minimum federal requirements as far as the storage of ordnance, etc., is concerned. An outdoor area is available and they are at present using a motor pool across the street which does not meet federal requirements due to the fact that entry is had by the public generally. This type of an organization uses some of the most valuable equipment issued to any of our Armed Forces, consisting of radar, radio, and all types of communication, as well as heavy weapons. It would seem of utmost importance that such units as these have at all times, for protection in an emergency, the weapons and equipment they are to use at such time—which is impossible under the present conditions. At the present time they are paying a rental of $150 per month for these inadequate quarters which provides no heat, and during the recent cold spell it was almost impossible to hold classes or drill. The building is of such small size that when the equipment which they have is stored inside, it leaves very little room for maintenance work and instruction in their use. The community interest is very high and the City of Gardena has offered a lease which is under consideration by the Department of Finance, with a valuation of $13,000. The present strength of the unit is two officers and 65 men.

INDIO (Co. A, 111th Armored Cavalry Regiment—Light)

At present this unit is being housed in a portion of an exhibit building on the Riverside County Fairgrounds. The building floor is used for drill purposes but storage for quartermaster supplies and ordnance does not meet federal specifications, so that the issuance of equipment is very limited. This is another case of a light tank company which is unable to draw tanks and such equipment to carry on its training program. An outright grant of property adequate for armory construction has been offered to the State and will be forwarded to the Department of Finance for approval.

LODI (Bat. C, 164th F. A. Bn.)

This unit is housed in an armory constructed by the City of Lodi for National Guard purposes and the facilities are ample with the exception of storage of motor vehicles. A large drill area is available, part of which has cement floor, so that heavy weapons can be brought into this area for instruction purposes. We believe it to be the intent of the Adjutant General to purchase this site which, undoubtedly, can be purchased to advantage, and with some additions and improvements would make it one of the finest single unit armories in the State. There is no heating for the drill area, and on the night that your investigator visited this unit the cold was so severe that the men were wearing overcoats in their drill. Believe it to be the intent of the Adjutant General, after this site is purchased, that a location for an ample motor pool will be included,

and it is their intention to provide the facilities that are lacking. It is impossible to make these changes at the present time because of the fact that the State does not own the property. Strength of the unit is 74 men and four officers. (PURCHASED. APPROPRIATION APPROVED AT BUDGET SESSION IN MARCH, 1950.)

LOS ANGELES (6th Combat Engineers—Colored)

At the present time this group is being housed in the main armory on Exposition Boulevard, which is so crowded as to make any comprehensive training program for this unit absolutely impossible. The present strength of these units is 38 officers and 365 men. This situation is one of the most serious that your investigator found, to a great extent because by the lack of locker rooms, supply, and strong rooms, there has been considerable loss of clothing and small equipment. Men have been issued uniforms and are unable to change clothing in the armory and there have been occasions of misuse of uniforms, together with the loss of them, due to the fact that they wear them home and it is impossible to keep a complete check on them. A great deal of difficulty has been experienced in obtaining a site for this proposed armory and it is the understanding of your investigator that at the present time the City of Los Angeles is considering a grant of sufficient acreage to construct this armory. We believe that the officers have done a magnificent job in public relations. The duties of this type of organization consist of building and repair of roads, preparations of sites, such as airports, airfields, etc. They should have intensive instruction on equipment such as tractors, graders, bull dozers, and such, which is an impossibility under present conditions. They require an adequate armory, together with sufficient space outside for training on this type of equipment. At the present time the only training possible is during the summer encampment. These men should all be supplied with locker rooms and adequate strong rooms for storage of small arms, etc., and supply rooms where all field clothing and such can be under the custody of a regular caretaker provided by the Federal Government at no expense to the State of California. Please bear in mind, though, that the responsibility for the security of all this equipment rests entirely with the State of California. We believe that all effort should be made to get the grant from the City of Los Angeles for sufficient acreage to construct this armory at the very earliest possible time. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

MONTEREY, SEASIDE & PACIFIC GROVE (Co. A, 149th Heavy Tank Bn.)

This unit is being housed on the Presidio of Monterey, federal property, and has ample office space, supply space with a strong room that does meet the minimum requirements for storage of small arms and such, but does not provide for storage of replacement parts and such which are required in a unit of this type. A heavy tank company requires various types of equipment, such as radio and other types of communication equipment which are lacking in this case. The assembly room, or drill room, is very inadequate as it is impossible to hold a formation in the space they have. Being a tank organization, they should have sufficient outdoor training facilities to enable them to practice on this type of equipment—which is impossible under the present conditions. The area where their tanks are stored is very limited and does not permit them

to hold classes of instruction in their use. The location is not conducive to enlistment—being on a Federal military reservation—because the use of the quarters is limited to drill nights only except to officers. This unit was visited on a drill night and the morale of all of the personnel seemed to be excellent There is no doubt that with an armory away from the Presidio of Monterey, the enlistment program—as well as the training—would be greatly improved. The strength of the unit is five officers and 68 men.

MARYSVILLE (Co. F, 184th Inf. Regiment)

This unit is meeting at present in the Marysville Memorial Auditorium where adequate drill space is available, but facilities for storage and strong rooms and offices are entirely inadequate. There is no motor pool possible at this location which seriously hampers the training program. The unit has no assurance that its program will not be interfered with by other interests. The strength of this unit is three officers and 74 men. Rental of $150 a month is being paid for this space. A site has been offered by deed to the Adjutant General and is being processed at the present time. No appraisal value available.

MENLO PARK-PALO ALTO (Bat. D, 149th A. A. A. A. W. Bn.)

This unit is one of the more recent activated and is showing good progress in its enlistment program. At the present time it is being housed in the recreation building of an old army hospital center. This unit, like all of its kind, requires training on widely diversified types of equipment, such as radio, radar and all communications equipment, as well as heavy weapons. The present drill area is adequate for drill but not for instruction work on the type of equipment this kind of an organization uses. They have been issued none of this equipment, but have had to morrow from the Redwood City Armory anything they require, and return it the same night. Some improvements are being made in this building, such as providing strong rooms which are proving adequate, and supply rooms, as well as offices. The lack of a motor pool is the main difficulty they are experiencing, and this is hampering their training program most of all. At the present time a rental of $150 a month is being paid for this building and the City of Menlo Park has been making the improvements mentioned. The city has offered the State an outright deed to property sufficient for armory purposes, and this is now in the hands of the Adjutant General and will be forwarded shortly to the Department of Finance for approval. The present strength of the outfit is 35 enlisted men and four officers.

MOUNTAIN VIEW (Bat. B, 637th F. A. Bn.)

At the present time this unit is being housed in the American Legion Club House. Facilities such as supply room, office, strong room, etc., are wholly insufficient. No possibility of motor pool—consequently, here you have the story of a field artillery battalion being without weapons for training purposes. Community interest is high in this organization and they have offered the State an outright grant of sufficient property for armory construction at an estimated value of $5,000, which is now in the hands of the Department of Finance for approval. Present strength is three officers and 72 men.

NORWALK (Bat. D, 682d A. A. A. A. W. Bn.)

This unit is now being housed on the outskirts of the City of Norwalk on what happens to be an old dairy building and which is not of sufficient size to permit anything but outside drill and the area for that purpose would of necessity have to be in an open field. There are adequate storage facilities and office room, but everything else is lacking. This is another case of a unit with a great deal of equipment from radar to artillery not being issued, and consequently their training program is seriously hampered. At the present time a rental of $125 a month is being paid for this building which is wholly inadequate. A site has been offered the State for lease and is now pending in the office of the Adjutant General for further study. The present strength of this company is three officers and 36 men.

OAKDALE (Co. F, 111th Armored Cavalry Regiment—Light)

This unit now has exclusive use of a small commercial building which is not of sufficient size for drill purposes. They have a very small area with very limited space for the storage of property which does not meet federal requirements. What motor vehicles have been issued them must be stored within the building and removed for each drill period. This unit is one of the last to be activated and it has a fine record of equipment. The community interest is of the very highest as has been shown by the intrest of the various veteran organizations, Chamber of Commerce, and other civic groups. They have offered the State sufficient property for armory construction on a lease basis which is now being held by the Adjutant General for further study as to suitability and other details. The present strength is five officers and 66 men.

PASO ROBLES (Co. C, 149th Heavy Tank Bn.)

This unit is now meeting in the American Legion Hall, with office, supply room, etc., in the basement of the building, and sufficient space for classrooms are available in the building but there is no drill area Being a heavy tank company, a proper training program requires that they be issued the tanks and weapons which they will use in active service. This being impossible because of the lack of a motor pool, their program of instruction is seriously hampered. They have been issued one light tank which is being housed in a yard of the manufacturing plant adjacent to their quarters, but the only time they can use it for instruction is on time other than the regular drill nights and dependent upon the interest of the men. This is such that they are spending Sundays at work on maintenance and instruction, but this does not make for an efficient training program. Community interest seems to be excellent and the morale of the personnel very good. A site has been submitted to the Adjutant General for approval on a long lease basis and is being held pending further study The present strength is four officers and 64 men.

RED BLUFF (Hq. & Hq. Co., 2d Bn., 111th Armored Cavalry—Light)

These units are occupying a building of a very temporary type, formerly a small exhibit building on the Tehama County Fairgrounds. The building's supply and ordnance rooms are inadequate but the units have made the best possible use of what was available. The offices are adequate but the drill area is filled with motor equipment and this must

be removed to provide any training area whatsoever. At the time the inspection was made the weather was such that the quality of the building was demonstrated by a leaking roof and water all over the floors, and it was so cold that it was impossible to hold classes or any kind of drill. Again, here is an example of a unit, or units, which should be equipped with light tanks, half tracks, and other equipment, being without an adequate motor pool for storage, and hampered in their training program by the absolute lack of this type of equipment. The motor vehicles which they have been issued are trucks and jeeps. This inspection was made in the company of the commanding officer, Col. Moor, and Senator Sutton from Maxwell and Assemblyman Lowrey from Rumsey, whom I am quite sure agreed with your investigator as to the need for a permanent armory building at that point. A site will be available on the present fairgrounds, but the location has not yet been determined. The present strength is 11 officers and 47 men.

RIVERSIDE (Hq. & Hq. Co., 2d Bn., 224th Inf. Regiment)

These units are now housed in the basement of the Civic Auditorium Building and while offices are adequate, supply and strong room facilities are not The assembly hall is in the basement and will not permit of any drill, due to the supporting columns that break up the floor area to such an extent as to make maneuvering impossible. Due to the fact that the auditorium upstairs is in use for folk dances and other activities, the noise occasioned by these activities make the holding of classes out of the question with any degree of efficiency. There is a move on foot to move these units into the present city school department offices in the old high school. If this is done, it may eliminate the immediate necessity for armory construction, but at best it would only be a postponement because of the type of building they contemplate using. It will be only a question of time until this building will be dismantled and any move to occupy it will be of a temporary nature. It will, however, provide adequate office and classrooms and supply and strong rooms can be built at small cost. Provided the city does not make a public parking area out of the ground surrounding this building an adequate motor pool could be had. The City of Riverside is intensely interested in this National Guard program and in acquiring a new armory. They have provided a site and offered a lease which is pending in the office of the Adjutant General. The present strength of the units housed in Riverside is 11 officers and 182 men.

SACRAMENTO

This proposed armory is to be constructed on state-owned property now used by the National Guard at 28th and C Streets, Sacramento. The units at present at this location are the State Headquarters Detachment and the Ambulance Co. of the 26th Medical Battalion. Battery A of the 636th Field Artillery is now being temporarily housed at North Sacramento The site has been developed considerably through the use of federal funds as a motor repair shop and warehouse where maintenance supplies and such are being housed for use throughout the entire State. The present buildings are entirely inadequate, providing only office space, with no drill area, locker or shower facilities, and a very inadequate class room. The site is an excellent one and the construction of this armory will complete this installation. The present strength of the troops

quartered in these very limited facilities consist of 113 enlisted men and 51 officers. When completed, and with the removal from North Sacramento of Battery A, the man power at this location will be increased by at least another 100 men and officers. The present armory at Sacramento is housing five units of the 184th Infantry Regiment and is filled to capacity. It was originally constructed to accommodate less strength than is now being accommodated there

SAN BRUNO AND MILLBRAE (Bat. B, 149th A. A. A. A. W. Bn.)

At the present time this unit is meeting in the old recreation center of the San Bruno Navy Base, which is entirely adequate from the standpoint of drill area, offices, supply room and strong room. The difficulty with this situation is that it stands on the grounds of the old Mills Estate and may be returned to private ownership at any time Negotiations are now in progress to affect this return, which would mean that the unit would be without quarters when this happens. It is not an advantageous site, because entry to the grounds and armory can only be had by telephoning up to the building, which is some quarter of a mile from the entrance, and persons wishing to enter the armory must be escorted by personnel from this company. This condition is certainly not conducive to enlistment, or one which would promote community interest. The public is barred from all drill sessions and such, and it is impossible to hold an open house to acquaint the public with the activities of the National Guard. During certain months of the year it is so cold as to be very difficult to hold drill sessions. There is a central heating plant located outside the armory which is not being kept in operation by the Navy. Consequently, no heat is available. A site has been offered by grant deed and is now in the hands of the Adjutant General Four officers and 98 men comprise the present strength.

SANTA ANA (Hq. and Hq. Co., 3d Bn., 224th Infantry Regiment)

These units are now using the facilities located in the community center. Reasonable locker and supply room space is available and being used, but no recreation room nor assembly space is available. All drills are performed outside the building. One unit is using an old air force mess hall, which has been altered to provide a minimum of storage space, locker and class room space. Here, too, drill is performed out of doors. In both cases the facilities are inadequate for the storage of property required for use of the unit at its present strength. There is at present no motor pool and it has been proposed to lease a small adjoining area for the temporary storage of vehicles, provided funds may be obtained to properly finance this area. Community interest in the National Guard is excellent in Santa Ana, and the morale of the forces is evidenced by the splendid recruiting record made by these units. They are now paying a rental of approximately $200 a month and have a strength of 10 officers and 220 men. Their training program will be greatly assisted by the construction of an armory. (IN THIS LOCATION, AND IN CERTAIN OTHERS, TERMS OF THE LEASE OF THE ARMORY REQUIRE THAT THE STATE MUST BEGIN CONSTRUCTION OF THE ARMORY WITHIN ONE YEAR.)

SANTA CRUZ (Co. F, 159th Infantry)

This unit has very nearly reached its authorized strength and present facilities are entirely inadequate. They are being housed at the present time in a temporary type building formerly used as a corporation garage of galvanized sheet construction There is not sufficient area for drill and they are required to use the streets in front of the building for that purpose. They have set up several flood lights—also they do have some lighting. The supply room is madequate and can only be used for storing clothing and such equipment. All small arms and ordnance equipment is at present stored in the strong room of the Police Department, which is approximately one-half mile from the armory. Equipment must be picked up before each drill night and returned to the Police Department the same evening. Consequently, their training program is considerably hampered and unsatisfactory The morale of the forces is excellent. The community interest in National Guard affairs is excellent. Considerable acreage of over one hundred acres was granted to the State years ago for armory purposes. This is now in the hands of the State and available for construction at any time. A two-unit type B armory has been proposed as this community will well support a second unit, which will be activated as soon as armory is constructed. The strength is 123 men and five officers. Rental of $75 per month is being paid for the present facilities and the City of Santa Cruz is giving them the use of their strong room gratis.

SANTA CLARA (Bat. C, 637th F. A. Bn.)

This unit is now being housed in the private club building at the corner of Lafayette and Lewis Streets in Santa Clara. Office and supply rooms are located in the basement of this club building and are inadequate. Class room use is made of a small room on the upper floor and all drill work must be done outside. There is no motor pool and consequently this unit has none of the weapons it is supposed to be equipped and trained with. There is a small outside area available for drill but no lighting which makes it of little use. Located as it is near Santa Clara University, it will always have a source of manpower and we believe that with a new armory its efficiency and strength would be greatly enhanced. At the present time there is no definite offer of any site, but the matter is being worked on and undoubtedly one will be acquired in the near future. The present strength of this unit is four officers and 51 men. For the totally inadequate quarters they are now occupying, they pay a total of $125 a month.

SAN DIEGO (Co. C and Co. D, 1402 Engineer Bn., of 6th Combat Engineers—Colored)

It was proposed that an armory be constructed for these two units, but since that time they have been moved to the downtown armory which houses the Headquarters and Headquarters Battery of the 114th A. A A Brigade, where they are most adequately quartered for the present, and your investigator believes that this part of the program can be eliminated for the present.

SAN DIEGO (Headquarters and Headquarters Battalion of the 251st A. A. A. Group, 746th A. A. A. Battalion Headquarters, 140th A. A. A. Headquarters, and Batteries A and B of the 140th A. A. A.)

These units are all being housed at present on Federal property at Ft. Rosecrans. It is proposed that a type J armory be constructed to house these units as present site may be turned over to the Navy by the Army at any time. The present site is approximately a mile from any transportation. The buildings are of a very temporary type and the cost of maintenance and repairs has been excessive. Inasmuch as the area is all militarily regulated, entry is difficult. There is no covered shelter for any of the equipment, radar and otherwise that these units are—or should be—equipped with. All facilities are of such a temporary nature that their training program has been seriously hampered by the lack of adequate armories. Several sites have been considered for the construction of an armory and the City of San Diego has assured the Adjutant General that a satisfactory site will be provided. It only remains for a selection to be made. The community interest in and about San Diego in the National Guard is extremely high, there being in this San Diego area and tributaries approximately 1,800 troops in the various units. Your investigator urges that construction of this armory be no longer postponed.

SANTA MONICA (Headquarters and Headquarters Battery—144th Field Artillery Bn.)

The present facilities are most inadequate for the proper training program of these units. No other building in the City of Santa Monica is available that would be adequate. This is an artillery organization which requires issuance of heavy weapons, small arms, and such, with considerable motor equipment, none of which is available at the present site. Efforts are being made to secure a suitable site. A little over a year ago a site was offered by the City of Santa Monica and withdrawn when no appropriation was made during the last session to provide them with an armory. Efforts are being made to obtain approval on a site now being under consideration on a long term lease basis. Due to the high rental of $350 per month now being paid for the present inadequate facilities, it is highly important that this armory be constructed. The present strength is 23 officers and 352 men.

SIERRA MADRE (Heavy Mortar Company—223d Infantry)

Now being housed in the basement of the very small city hall. Present facilities provide only for a small classroom, a very inadequate supply room, and a strong room which does not permit the issuance of the type of weapons that this unit uses. The classroom is used by a number of other organizations, so that no property of any kind may be left there, and no extra class work or gatherings can be held. Consequently, their training program is devoted entirely to theory and very little of the practical. Even small weapons, rifles, carbines, and side arms have not been issued them, due to the lack of adequate security. This organization is also to be trained in communications and radio, but have not received any of this type of equipment for the same reason. No motor vehicles have been issued due to lack of any space for storage. The city has issued an outright grant to the State of California for a site of approximately four acres, with an appraised value of $20,000 for armory construction. The present strength of the unit is four officers and

82 enlisted men. This unit has the support of all community organizations and has cemented its relations with the community by performing service to the community on various occasions. The morale and interest of the men and officers is excellent The community interest is likewise.

SUSANVILLE AND WESTWOOD (Co. D, 111th Armored Cavalry Regiment—Light)

Here, again, is an instance of a light tank company with no storage facilities for the equipment they are supposed to be trained for and use in their operations. They are housed in the Lassen County Fair Grounds Exhibit Building which is adequate as far as drill floor is concerned, but naturally does not permit any tanks or motorized equipment of any of the type to be used in their classes. Locker rooms and strong rooms and supply rooms are totally inadequate. During the time of preparation for the fair, during the time of the fair, and during removal of exhibits after the fair, this is not available for use by this unit. The present strength is 46 men and four officers.

TORRANCE AND LOMITA (Co. A, 578th Engineer Battalion)

The present quarters are in an old shed near the city ball park. The building is so old it is rapidly disintegrating. No heat is provided and the city is very anxious to move the Guard out of this location so that they may tear down these buldings. The motor pool is located in the city bus yard, approximately two miles from the armory. Your investigator could find no part of this facility that was in any way adequate from the standpoint of supply rooms, locker rooms, strong rooms, or assembly rooms. As a matter of fact, all work is required to be out in the open. Even the ball park, during the summer months, is not available because it is used for recreational purposes. An extreme fire hazard exists. The City of Torrance has deeded a site on an outright grant to the State at an appraised valuation of over $5,000. The need for armory facilities in this locality are most urgent The strength of the unit is two officers and 80 men.

TULARE (Co. E, 185th Infantry Regiment)

This unit is now housed in an old exhibit building on the Tulare County Fair Grounds. This is on property owned by the Chamber of Commerce and leased to the agricultural district for fairgrounds The drill hall is inadequate but does permit of some formations. Office is fairly adequate, but the supply room which is located at some distance from the assembly hall is an old refrigerator car which does provide security but not much of anything else It is wholly inadequate for the protection of such weapons as should be issued to an infantry company. The Chamber of Commerce asked the agricultural district to release certain of this property back to them so that they may in turn lease same to the State for armory construction. Several other sites are being considered and no doubt will be consummated in the near future The strength of this unit is four officers and 103 men

UKIAH (Co. B, 579th Engineer Combat Battalion)

This unit is now occupying a small portion of the City Hall which is entirely inadequate from the standpoint of both storage space and drill floor. The Adjutant General has endeavored to negotiate a satisfactory lease with the city on this property so that they might alter the

arrangement and improve the limited facilities, but has been unable to do so. Consequently, conditions remain as when first acquired. This unit was one of the later units to be activated and has shown a nice growth, and considerable community interest has been evident. A unit of this type needs considerable area in which to function properly and a site has been offered. At the present time a lease is pending in the Office of the Adjutant General, and is being held for further study. Present strength of this unit is three officers and 50 men.

VALLEJO (Batteries C and D, 951st A. A. A. A. W. Bn.)

These units are now quartered in an old temporary naval barracks on the property of the Naval Reserve Training Headquarters. The building is of a very temporary nature and it was constructed on filled ground. It is evident that the pilings never reached solid foundation, as the buildings are settling at various places, to the point where it appears ready to collapse at any time. No adequate drill area, supply rooms, or strong rooms. Here again the units which should be equipped with radar, radio, and all communications equipment are unable to receive them due to the lack of storage facilities. No heavy weapons for the same reason—and again their training is confined almost entirely to theory with little of the practical practice possible. In this case also, the fire hazard is extreme. What motor vehicles have been issued—in most cases, 2½ ton trucks and jeeps—are required to be stored outside, with no protection. They are constantly being drained of their gasoline, and other bits of equipment are removed, due to the lack of any security on the site. They have numerous break-ins with the loss of clothing, tires, equipment and such. We consider this condition one of the most acute in the State. The present strength of the two units is 10 officers and 129 enlisted men. The monthly rental is $150 for the building. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950)

VENTURA (Bat. B, 981st Field Artillery Battalion)

This unit is at present being housed at Seaside Park in Ventura in a small building which permits of no drill inside the building, but does provide limited facilities for storage and office space. The area adjacent is ample for outside drill, but the motor pool does not permit the issuance of heavy weapons. The success of their training program is dependent upon these weapons being issued for their training purpose. Community interest in the unit is excellent. There is no doubt that enlistment and morale would be greatly improved by the construction of the proposed armory in Ventura The present strength of this unit is four officers and 93 men. A proposed site to be leased to the State is pending in the office of the Adjutant General at this time.

VICTORVILLE (Co. A, 140th Heavy Tank Battalion)

This unit uses the American Legion Hall on drill night only. It is inadequate for drill purposes, but is suitable for use as a classroom. Storage facilities are practically nonexistent. Heavy equipment is being stored at the Victorville Air Force Base, at a considerable distance from the assembly hall, which works an undue hardship on their training program. This is one of the latest units to be activated and has shown a nice

rate of increase in enlistment, but its training program is seriously hampered by the extreme lack of facilities. The present strength of this unit is five officers and 61 men. Efforts are being made to find a suitable site for an armory and no doubt same will be found in the very near future. $100 per month rental is being paid in Victorville for the very inadequate facilities.

WALNUT CREEK (Co. C, 159th Infantry Regiment)

At present this unit is using the basement of the American Legion Hall in Walnut Creek, which is entirely inadequate, there being only accommodations for a small office, supply, and strong rooms. They are unable to use the upstairs for an assembly room, consequently have only the use of a small dining room downstairs, which is adequate for classroom purposes only. Even the outside area is limited. They have only been issued one truck, due to the lack of facilities for housing motor vehicles. Again, this training program is considerably hampered by the lack of any adequate facilities. This unit draws from a fast growing area and community interest and the morale of the personnel of the unit are excellent. The City of Walnut Creek has offered an outright grant of sufficient area for armory construction at an appraised valuation of $61,000. The present strength of the unit is six officers and 92 men.

WATSONVILLE (Co. B, 149th Heavy Tank Battalion)

This unit is now being quartered at the Watsonville Municipal Airport, approximately three miles from the center of the City of Watsonville. Facilities consist of a small office, with a loan occasionally of a room suitable for a classroom, and a vehicle storage of sufficient size to store three tanks; but it does not permit due to the cramped quarters, of any class work being done in this area where instruction could be given on this equipment; nor does it permit any maintenance work at the present time. There is no heat provided except a small electric heater in the office. A supply room and strong room is located in another building quite a distance from the office. The supply room is fairly adequate, but the strong room does not come up to federal specifications. There is considerable need also for the storage of parts for tanks and motors, which is entirely inadequate. Small arms are being stored in the strong room. The unit, in order to acquire all its training program, has devoted many Sundays to tactical problems. In spite of the lack of facilities, morale is excellent and the community interest in the unit is extremely high. The Chamber of Commerce has been very active in acquiring a site, and expect in a very short time to work out an agreement with the fair officials for an adequate space on the County Fair Grounds which will be excellent from the standpoint of being centrally located within the area from which it draws its strength, and will also provide for sufficient area for maneuvering of this type of equipment There is an extreme need for an armory in this location. The present strength of the unit is four officers and 58 men, which will be greatly increased when satisfactory facilities are furnished.

YREKA (Co. L, 184th Infantry Regiment)

The company is at present housed on the second floor of the grandstand of the County Fair Building, and there is nothing in the way of drill area, offices, or storage for supplies or ordnance or small arms. No heat, and during the cold months of the year it is practically impossible

to carry out any training program. Community interest has been awakened in this locality and the continuance of this support is assured. For these very inadequate facilities, the State is now paying $150 a month rental, and it is felt that in providing an armory for this location, enlistments will be encouraged and the training program will be carried on successfully. The present strength of this unit is three officers and 66 enlisted men At present a site has been selected and a lease is pending in the Office of the Adjutant General.

LEASES

Armory Sites Leased or Proposed to Be Leased to the State

There is submitted below a list of armory sites which have been:

(1) *leased* to the State (marked by an asterisk)

(2) as to which a lease is pending before the Department of Finance for approval (marked with a cross)

(3) as to which a lease is pending in this office and held in suspense pending further study (unmarked).

The estimated value is indicated where the information is available to this office.

Site	*Estimated value*	*Site*	*Estimated value*
Alhambra		x Monterey	$7,500
Anaheim		x Mount Shasta	4,500
* Atascadero	$5,000	x Napa	9,000
Auburn		Norwalk	
Bakersfield		Oakdale	
Banning		* Ontario	17,500
Bellflower		* Orange	10,000
x Burbank	37,500	* Oxnard	16,000
Chico		Pasadena	
Compton Airport		Paso Robles	
* Corona	22,500	Patterson	
x Coronado (purchased bldg)	8,500	Placerville	
* Culver City	32,000	* Redlands	14,000
Del Paso Heights		x Roseville	3,000
El Monte		Riverside	
Eureka		Salinas	
Fairfax		* San Bernardino	18,500
Fontana		San Diego	
Fresno		Santa Ana	
Fullerton		Santa Monica	
x Gardena	13,000	Stockton	
Glendale		* Sunnyvale	9,600
* Hayward	15,500	Susanville	
* Highland Park	22,500	Tulare	
x Hemet	16,000	Ukiah	
Jackson		Ventura	
King City		* Vista	7,750
Los Angeles (6th Engr)		Woodland	
Madera		Yreka	
* Monrovia	21,000		
Total estimated value of sites marked (*) or (x)			$322,850.00

a. Total of 51 sites have been offered or conveyed by *Deed*.

b. Total of 59 sites have been offered or conveyed by *Lease*.

c. A grand total of 110 sites have been offered or accepted by the State.

DEEDS

Estimated Value of Armory Sites Conveyed to the State by Deed

There is submitted below a list of armory sites either conveyed to the State, or as to which a conveyance is pending before the Department of Finance for approval, together with the estimated value of each site. Those marked by * have been finally conveyed by *deed* to the State. The remaining sites have been submitted by a deed and the sites *are* pending in the Department of Finance for approval.

Site	*Estimated value*	*Site*	*Estimated value*
* Arcadia	$14,000	* Montebello	$15,000
* Azusa	17,250	Mountain View	4,900
Calexico	13,000	* National City	9,500
* Colton	2,200	* North Sacramento	10,500
Columbia Airport	5,000	* Pittsburg	6,600
* Compton	19,000	* Redwood City	12,500
Concord	10,000	* Reedley	7,700
Delano	2,500	Richmond	25,000
* El Cajon	7,600	* San Mateo	10,000
El Centro	12,000	Santa Maria	4,200
Escondido	5,750	* Santa Rosa	18,000
* Hanford	7,400	Sierra Madre	20,000
* Healdsburg	6,500	Torrance	5,200
* Long Beach	47,774	* Visalia	6,400
* Hope St., Los Angeles	500,000	Walnut Creek	6,100
* Lynwood	6,000	* Willows	6,200
* Manhattan Beach	11,000		
* Merced	9,400	Total estimated value	$876,174
* Modesto	12,000		

The following sites have been offered by *deed*, but have not yet been approved by the Department of Finance. The value of these sites cannot as yet be estimated.

Brawley
Barstow
Berkeley
Ft. Funston
Imperial
Indio
Marysville
Menlo Park
Nevada City
San Fernando
San Bruno
San Francisco
San Jose
South Gate
Vallejo
Watsonville

COMMENTS

Your committee believes that the special value of this report lies in its comparison with the current 1951-1952 Budget now before the Legislature, in which requests are made for the following armories:

Priority No	Project	Armory Type	Armory Units	Construction	Equipment	Total
1	San Diego ____ (a)	J	8	$595,000	$40,000	$635,000
2	Red Bluff ____ (a)	C	1	122,000	5,000	127,000
3	Delano ____ (b)	A	1	122,000	5,000	127,000
4	Gardena ____ (a)	A	1	122,000	5,000	127,000
5	Fairfax ____ (a)	A	1	122,000	5,000	127,000
6	Monterey ____ (a)	A	1	122,000	5,000	127,000
7	Santa Cruz ____ (a)	B	2	142,500	10,000	152,500
8	San Francisco ____ (c)	H	5	352,000	25,000	377,000
9	Sacramento ____ (d)	E	4	236,000	20,000	256,000
10	Walnut Creek ____ (a)	A	1	122,000	5,000	127,000
11	Placerville ____ (b)	A	1	122,000	5,000	127,000
12	Norwalk ____ (a)	A	1	122,000	5,000	127,000
13	Susanville ____ (a)	A	1	122,000	5,000	127,000
14	San Bruno ____ (a)	B	2	142,500	10,000	152,500
15	Brawley ____ (a)	A	1	122,000	5,000	127,000
16	Tulare ____ (a)	A	1	122,000	5,000	127,000
17	Oakdale ____ (a)	A	1	122,000	5,000	127,000
18	Mountain View ____ (a)	A	1	122,000	5,000	127,000
19	Indio ____ (a)	A	1	122,000	5,000	127,000
20	Oroville ____ (b)	A	1	122,000	5,000	127,000
21	Paso Robles ____ (a)	A	1	122,000	5,000	127,000
22	Marysville ____ (a)	A	1	122,000	5,000	127,000
23	Long Beach ____ To complete 10,000 sq. ft. deleted from plans Original appropriation, Item 372 9q, Chapt. 700/49 $400,000 (partial cost)			127,200	–	127,200
24	San Francisco—Existing Armory Install additional toilet facilities, team locker rooms and class rooms. The armory is capable of supporting public functions of 5,000 to 6,000 persons. Existing toilet facilities are poorly placed and insufficient for large groups.			50,000	–	50,000
25	Los Angeles—Existing Armory—700 Exposition Blvd. ____ To correct existing conditions in the basement area by providing solid partitions of cement blocks and removal of wood and wire mesh partitions now in existence further reducing an existing fire hazard, and to improve lighting where required.			11,000	–	11,000
26	Lodi—Existing Armory ____ Purchased armory requires certain deferred maintenance primarily correcting structural deficiencies and repair and improvement of sanitary facilities, such as toilets, showers, etc.			30,000	–	30,000
	Preparation of plans and supervision of construction to be constructed from federal funds ____			50,000	–	50,000
				$3,810,200	$190,000	$4,000,200

(a) Replace unsatisfactory leased facility in line with Sec. 3.4, Chapt. 2/50.

(b) Replace unsatisfactory leased facility.

(c) Replace unsatisfactory licensed facility and relieve congestion in existing armory.

(d) Replace unsatisfactory state-owned facility—State Hqtrs, Hqtrs Det and 59th Band, and licensed facility, Btry A, 636th FA.

You will note that Adjutant General Curtis D. O'Sullivan has not requested a capital outlay for the construction of an armory in the Southern California area heretofore occupied by the 40th Division. This is because of the induction of this force in the federal service, and because the auxiliary forces, known as the new Defense and Security Corps (Home Guard or State Guard) will be adequately housed in all the temporary facilities previously acquired for the use of the National Guard. The budgetary request for new armories, and the resulting priority in the matter of such construction, is based on General O'Sullivan's plan to house the 49th Division (Northern California) and subsequently give a higher priority to new armory construction in Southern California when the 40th Division is returned to our charge.

Your committee agrees with this decision as made by the Adjutant General, since it would be financially impossible to undertake an overall expenditure sufficient to supply an armory for every desirable location.

Your committee believes that your Adjutant General and his staff is giving the State a most efficient administration, and has spent such moneys as have been allocated in a most judicious manner. The construction of these armories has been standardized, and savings have been effected to the point that armories are being constructed in the State of California for the sum of less than $7 per foot, as compared to a national average of some $16 per foot—and a building well planned for all needs is being provided. Should this program be curtailed, it is very possible that our national defense may suffer beyond reparation.

RECOMMENDATIONS

1. In view of the present military and international situation it is obvious that the State of California occupies a prime position in support of our defenses and, further, our new Defense and Security Corps, now replacing the National Guard, is in its infancy and will undoubtedly need legislative assistance. Also, it will be acknowledged that the traffic in veterans affairs will continuously be on the increase. Furthermore, our State can suffer a disaster or otherwise be called upon to contribute to the defense of our Nation beyond the limits of our expectations. Therefore, without hesitancy, we recommend that the support of an Interim Committee on Military Affairs be undertaken and continued in the future by the present Legislature.

2. Obviously also, one of the most far reaching domestic programs to be supported by our State through its Legislature in the coming years will be a system of civilian defense. While this subject ties into the above recommendation as to its future success, we nevertheless recommend that all Members of the Legislature support the bills being concurrently introduced by this committee and by the Governor on this subject, including the appropriations therefor, even though same be beyond the reaches of the State's current income.

3. Your committee most emphatically urges the unanimous approval of the armory construction program, as set forth in this report and in the new budget now being considered by this Legislature.

Respectfully submitted.

Assemblyman RICHARD H. McCOLLISTER, Chairman
Assemblyman VERNE W. HOFFMAN
Assemblyman ROBERT I. McCARTHY
Assemblyman EARL W. STANLEY
Assemblyman SAMUEL WM. YORTY

LYNN S. COE, Investigator

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to James Mahoney of Sacramento.

ADJOURNMENT

At 11.32 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a m , Monday, January 15, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 15, 1951

The Assembly met at 11 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, our Heavenly Father, Thou art the Way, the Truth, and the Life. Give those insights needed for the responsibilities of this day and hour.

May we be guided to discern the true from the false, the evil from the good, and taught to walk in paths of wisdom and integrity.

"Prayer is the soul's sincere desire,
Uttered or unexpressed—
The motion of a hidden fire,
That kindles in the breast.

O Thou by whom we come to God
The Life, the Truth, the Way!
The path of prayer Thyself hast trod;
Lord, teach us how to pray."

—AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. McFall, on motion of Mr. Gubser.

Mr. Meyers, on motion of Mr. Gubser.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PETITIONS

By Speaker Sam L. Collins:

A petition from citizens and voters of California, relative to a request that legislation be introduced requiring the insurance of automotive vehicles against property damage, and public liability as a condition precedent to licensing the same to be driven over the streets and highways of this State, was received, and ordered referred to the Committee on Finance and Insurance.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

Resolution

THE BAKERSFIELD JUNIOR CHAMBER OF COMMERCE
BAKERSFIELD, CALIFORNIA

Greater Bakersfield Junior Chamber of Commerce

WHEREAS, The Greater Bakersfield Junior Chamber of Commerce has devoted its time and energy toward the establishment of positive programs for the welfare of our youth in this community and is especially concerned with those programs for the exceptional child whose needs are not being met by existing programs; and

WHEREAS, The Greater Bakersfield Junior Chamber of Commerce recognizes the immediate need for the establishment and operation by the State of California of the 24-hour schools created by the Legislature of 1947 in the law known as "California Academies Act," under which said schools were established for homeless and dependent children; and

WHEREAS, It is now necessary to obtain funds through appropriation for the building and operation of the same, as provided in said act; now, therefore, be it

Resolved, by the Greater Bakersfield Junior Chamber of Commerce in meeting assembled in Bakersfield, That we strongly urge the Governor of the State of California to incorporate in his budget to be submitted to the current session of the Legislature, and the Members of the California State Legislature make, in this session an adequate appropriation to assure the early commencement, completion and operation of the said schools as contemplated by the terms of the "California Academies Act;" be it further

Resolved, That copies of this resolution be forwarded to the Honorable Earl Warren, Governor of the State of California, Honorable Goodwin J. Knight, Lieutenant Governor and President of the Senate, Honorable James L. Dean, State Director of Finance, Honorable Roy E. Simpson, State Director of Education, President pro Tempore of the State Senate, and Speaker of the State Assembly, with the request that the same be printed in the respective Journals, and that copies be given to the press for publication.

The above resolution was unanimously adopted by the Greater Bakersfield Junior Chamber of Commerce at its meeting held in Bakersfield December 11, 1950.

(Signed) DWIGHT H. JONES, D. O., President

By the Chief Clerk:

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

Letter of Transmittal

CITY AND COUNTY OF SAN FRANCISCO, DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE DIRECTOR OF PUBLIC WORKS
SAN FRANCISCO, CALIFORNIA, January 10, 1951

PROPOSED GRADE SEPARATIONS, PARK-PRESIDIO BOULEVARD

The Chief Clerk of the Assembly
State Capitol
Sacramento, California

Through Mr. T. A. Brooks
Chief Administrative Officer

DEAR SIR: Pursuant to House Resolution No. 24 adopted by the Assembly on September 26, 1950, I am submitting herewith a brief report prepared by the Bureau of Engineering of this department on a preliminary engineering survey of a proposal to provide grade separations at the points in San Francisco where Geary Boulevard and Fulton Street now cross Park-Presidio Boulevard, which is a portion of State Highway No. 56.

Engineers of this department have conferred with the staff of the District IV office of the State Division of Highways and have reached substantial agreement on all of the main aspects of this proposal. It is my understanding that the Division of Highways is submitting a separate report on the matter.

I have conferred with the Director of Civilian Defense for the City and County of San Francisco and he has authorized me to say that this report, so far as it applies to civilian defense, is in conformance with his ideas on the subject

Very truly yours,

SHERMAN P. DUCKEL, Director
Department of Public Works

CC: Don Cleary, City Engineer, Division of Highways, District Office

Above transmitted report ordered referred to the Committee on Transportation and Commerce.

By Speaker Sam L. Collins:

A magazine, Boletim De Higiene Mental, from Hospital Psiquiátrico de Juqueri, Franco Da Rocha, Estado de São Paulo, Brasil, relative to Mental Hygiene, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

A communication from Mack H. Brown of Richmond, relative to injuries received in the Henry J. Kaiser shipyard at Richmond, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 12, 1951

RE: House Resolution No. 24

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

DEAR MR OHNIMUS: In accordance with the request contained in House Resolution No. 24 by Mr. Brady, adopted by the Assembly September 26, 1950, a preliminary engineering survey was made and a report compiled by the Division of

Highways relative to grade separations of Fulton Street and Geary Boulevard with Park Presidio Boulevard, State Highway Route 56, in the City of San Francisco.

Six copies of the report are enclosed for your information

Very truly yours,

C. H. PURCELL, Director of Public Works

Enclosures

Above transmitted six copies of report ordered referred to the Committee on Transportation and Commerce.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1951

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

Senate Joint Resolution No. 1

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 1—Relative to Central Arizona Project.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 11, 1951

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

Senate Concurrent Resolution No. 7
Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 9

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 7—Relative to approving an amendment to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 8—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 9—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified

by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

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

Assembly Concurrent Resolution No. 2—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 3—Approving four certain amendments to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 6—Relative to the selection of the Legislative Counsel of California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifteenth day of January, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 17—An act to amend Section 10291 5 of the Insurance Code relating to disability insurance policies, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of January, 1951, at 11 a m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 759: By Mr. Maloney—An act to amend Section 20392 of the Education Code, relating to dismissal of state college employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 760: By Messrs. Gaffney, Moss, Fleury, and Maloney—An act to amend Section 18021 of the Government Code, relating to overtime for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 761: By Messrs. Gaffney, Moss, Fleury, and Maloney—An act to amend Section 18021 of the Government Code, relating to overtime for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 762: By Mr. Lyon—An act to amend Section 1 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the

collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons, corporations and forwarders.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 763: By Mr. Hollibaugh—An act to amend Sections 45007, 45008, and 45080 of, and to add Section 45083 to, the Government Code, relating to municipal personnel, merit and civil service systems, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 764: By Mr. Crowley—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 765: By Mr. Crowley—An act to amend Sections 28123, 28132, and 28151 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 766: By Mr. Crowley—An act to amend Sections 737q, 737bb, and 737vv of the Political Code, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 767: By Mr. Crowley—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26737, 26738, 26741 of the Government Code, relating to fees.

Referred to Committee on Judiciary.

Assembly Bill No. 768: By Mr. Crowley—An act to amend Section 6103 of the Government Code, relating to fees for official services.

Referred to Committee on Judiciary.

Assembly Bill No. 769: By Mr. Crowley—An act to amend Section 694 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 770: By Mr. Crowley—An act to amend Section 689b of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 771: By Mr. Crowley—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 772: By Mr. Crowley—An act to amend Section 682 of the Code of Civil Procedure, relating to writs of execution

Referred to Committee on Judiciary.

Assembly Bill No. 773: By Mr. Crowley—An act to amend Section 538 of the Code of Civil Procedure, relating to affidavit for attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 774: By Mr. Crowley—An act to amend Section 517 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court

Referred to Committee on Judiciary.

Assembly Bill No. 775: By Mr. Crowley—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol.

Referred to Committee on Judiciary.

Assembly Bill No. 776: By Mr. Crowley—An act to amend Section 542 of the Code of Civil Procedure, relating to manner in which property attached.

Referred to Committee on Judiciary.

Assembly Bill No. 777—By Mr Sherwin (By Request)—An act to repeal Sections 640, 641 and 645 of, and to add Sections 640 and 641 to, and to amend Section 646 of, the Probate Code, relating to probate proceedings.

Referred to Committee on Judiciary

Assembly Bill No. 778: By Messrs. Dills, Morris, Porter, Hahn, Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Doyle, Elliott, Evans, Grant, Gubser, Hagen, Kilpatrick, Lindsay, and McMillan—An act to add Section 649 to the Penal Code, relating to automobile racing.

Referred to Committee on Judiciary.

Assembly Bill No. 779: By Mr. Levering—An act to add Section 923.5 to the Labor Code, relating to the status of professional employees.

Referred to Committee on Industrial Relations.

Assembly Bill No. 780: By Mr. Sam L. Collins—An act to amend Sections 1290 and 1291 of the Military and Veterans Code, relating to setting apart a room in Sacramento to be used by organizations of veterans of all wars for the care and storage of their books and papers.

Referred to Committee on Military Affairs.

Assembly Bill No. 781: By Mr. Babbage—An act to amend Section 737gg of the Political Code, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 782: By Mr. Babbage—An act to amend Section 19a of the Penal Code, relating to paroles.

Referred to Committee on Judiciary.

Assembly Bill No. 783: By Mr. Babbage—An act making an appropriation for the construction and equipment of a National Guard Armory at Riverside

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 784: By Messrs Chapel, Thomas, Belotti, Dills, Grant, Klocksiem, Lanterman, Lipscomb, McMillan, and Stanley—An act making an appropriation to the Department of Public Works to be expended in the prevention of further salt water intrusion into the water bearing aquifers of West Coast Basin, declaring the urgency thereof, to take effect immediately.

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

Assembly Bill No. 785: By Messrs. Gubser and Kirkwood—An act to add Section 110 to the Vehicle Code, relating to the Department of Motor Vehicles

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 786: By Messrs. Gubser and Kirkwood—An act to add Section 111 to the Vehicle Code, relating to the Department of Motor Vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 787: By Mr. Hagen—An act to amend Section 413 of the Education Code, relating to county school superintendents' salaries in counties of the thirteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 788: By Mr. George D. Collins—An act to amend Section 5501 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 789: By Mr. Geddes—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies.

Referred to Committee on Finance and Insurance

Assembly Bill No. 790: By Mr. George D. Collins—An act to amend Section 4534 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 791: By Mr. Lyon—An act making an appropriation to pay the claim of Daniel D. Frohman against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 792: By Mr. Lyon—An act to amend Section 217 of the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 793: By Mr. Lyon—An act to amend Section 120 of the Agricultural Code, relating to nursery license fees and renewal penalties.

Referred to Committee on Agriculture.

Assembly Bill No. 794: By Mr. George D. Collins—An act to amend Section 950 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 795: By Mr. Stewart—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 796: By Mr. Stewart—An act to amend Section 11513 of the Government Code, relating to administrative adjudication.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 797: By Messrs. Munnell, Babbage, Geddes, and Doyle—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 798: By Mr. Elliott—An act to amend Section 53 of the Unemployment Insurance Act, relating to benefit payments.

Referred to Committee on Industrial Relations.

Assembly Bill No. 799: By Mr. Elliott—An act to amend Section 7 of and to add Section 7.4 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 800: By Mr. Geddes—An act to amend Section 1664 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 801: By Messrs. Moss and Fleury—An act to amend Section 35134 of the Government Code, relating to annexation proceedings

Referred to Committee on Municipal and County Government.

Assembly Bill No. 802: By Mr. Moss—An act to add Sections 29 and 30 to the Education Code, relating to electors

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 803: By Messrs. Lipscomb and Connolly—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals

Referred to Committee on Public Health.

Assembly Bill No. 804: By Mr. Dickey—An act to amend Section 53250 of the Government Code, relating to firemen's vacations.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 805: By Mr. Dickey—An act to amend Section 31555 of the Government Code, relating to the retirement of officers and attaches of municipal and justice courts.

Referred to Committee on Judiciary

Assembly Bill No. 806: By Mr. Smith—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts and leases of livestock, animate chattels, mining equipment and machinery, and bailment or feeder agreements and rights and remedies in connection therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 807: By Mr. Hinckley—An act to amend Section 784 of the Agricultural Code, relating to fruit, nut, and vegetable standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 808: By Mr. Condon—An act to add Section 11d to the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary

Assembly Bill No. 809: By Mr. Condon—An act to repeal Article 13 of Chapter 3, Part 3, Division 4, Title 3 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 810: By Mr. Shaw—An act to amend Section 601 of the Code of Civil Procedure, relating to challenges to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 811: By Mr. Burke—An act to amend Section 36509 of the Government Code, relating to cities of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 812: By Messrs. Lyon and Caldecott—An act to add Section 26153 to the Government Code, relating to the powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 813: By Mrs. Niehouse—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393.1, and 7394.1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists.

Referred to Committee on Public Health

Assembly Bill No. 814: By Mrs. Niehouse, Messrs. Cloyed, and Luckel—An act to add Section 9483 to the Elections Code, relating to municipal elections.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 815: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Crowley, Levering, and Lipscomb—An act to amend Sections 1526 and 1527 of the Welfare and Institutions Code, relating to aid to needy children, in respect to the responsibility of counties for aid and care of needy children

Referred to Committee on Social Welfare.

Assembly Bill No. 816: By Mrs. Niehouse and Mr. Cloyed—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 817: By Messrs. Geddes, Condon, Waters, Morris, Burkhalter, Dolwig, Doyle, Dunn, Elliott, Evans, Hahn, Hansen, Lanterman, Levering, Luckel, McGee, McMillan, Meyers, Mrs. Niehouse, Messrs. Sherwin, Stanley, and Stewart—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 818: By Mr. Maloney—An act to amend Section 637.5 of the Agricultural Code, relating to milk products.

Referred to Committee on Agriculture.

Assembly Bill No. 819: By Mr. McCollister—An act to add Section 18236 to the Education Code, relating to use of school buildings.

Referred to Committee on Education.

Assembly Bill No. 820: By Messrs. Maloney and Levering—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 821: By Messrs. McCollister and Doyle—An act to amend Section 980 of the Military and Veterans Code, relating to the definition of "veteran" for the purposes of veterans' benefits.

Referred to Committee on Military Affairs.

Assembly Bill No. 822: By Messrs. McCollister and Doyle—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance.

Referred to Committee on Military Affairs.

Assembly Bill No. 823: By Messrs. McCollister and Doyle—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 824: By Messrs. McCollister and Doyle—An act to amend Sections 502, 502.1, 502 2, 511.5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps.

Referred to Committee on Military Affairs.

Assembly Bill No. 825: By Messrs. McCollister and Doyle—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, and to amend Section 37392 of the Government Code, relating to the call of the Militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Referred to Committee on Military Affairs.

Assembly Bill No. 826: By Mr. Geddes—An act to amend Sections 25150, 25151, and 25152 of the Corporations Code, relating to the Corporate Securities Law.

Referred to Committee on Judiciary.

Assembly Bill No. 827: By Mr. Geddes—An act to add Section 20345.5 to the Education Code, relating to membership in, and the payment of fees of, student body organizations established in state colleges.

Referred to Committee on Education.

Assembly Bill No. 828: By Messrs. Clarke, Hansen, Lowrey, Brown, Butters, Coats, Gubser, Hagen, Henderson, and Parker—An act making an appropriation to the Regents of the University of California for the purpose of searching for, collecting and rearing natural enemies (parasites) of Western Grape Skeletonizer.

Referred to Committee on Agriculture.

Assembly Bill No. 829: By Messrs. Clarke, Hansen, Hagen, Lowrey, Brown, Butters, Coats, Gubser, Henderson, and Parker—An act making an appropriation to the Regents of the University of California

for the purpose of collecting, and conducting research work on, the beet leafhopper and the natural enemies thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 830: By Mr. Porter—An act to amend Section 1303 of the Education Code, relating to terms of office of school superintendents and deputy and assistant superintendents.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 831: By Messrs. Porter, Dills, Smith, and Rumford—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 832: By Messrs. Smith, Dills, Porter, and Rumford—An act to amend Section 2261 of the Civil Code, relating to the investment of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 833: By Messrs. Dills, Porter, Smith, and Rumford—An act to amend Section 8738 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 834: By Mr. Stanley—An act to authorize the exchange of certain lands surrounding upper Newport Bay.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 835: By Messrs. Stanley, Dunn, Geddes, Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliot, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Mrs Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to, the Education Code, all relating to automobile driver training in the public schools.

Referred to Committee on Education

Assembly Bill No. 836: By Messrs. Stanley, Lanterman, Levering, Geddes, Babbage, Sam L Collins, McCollister, and Chapel—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections

12.1, 12.2, 13.1, 20, 21, 27 1, 27.2, 27 3, and 27.7 to, the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 837: By Mr. Stanley—An act to amend Section 8205 of the Government Code, relating to notary public.

Referred to Committee on Judiciary.

Assembly Bill No. 838: By Mr. Stanley—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 839: By Mr Stanley—An act to amend Section 37904 of the Government Code, relating to city public works contracts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 840: By Messrs. Klocksiem, Grant, Lanterman, Levering, McGee, and Shaw—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 841: By Mr. Hagen—An act to add Section 2000 to the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Referred to Committee on Judiciary

Assembly Bill No. 842: By Mr. Coats—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 843: By Mr. Coats—An act to amend Section 28127 of the Government Code, relating to compensation for public service in counties of the twenty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 844: By Mr. Coats—An act to amend Section 28139 of the Government Code, relating to the compensation for public service in counties of the thirty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 845: By Mr. Thomas—An act to add Section 7146 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 846: By Mr. Luckel—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to hours of sale.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 847: By Mr. Luckel—An act to add Sections 7.1 and 10.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Boards and Commissions

Assembly Bill No. 848: By Mr. Luckel—An act to amend Sections 867 and 868 of the Fish and Game Code, relating to nets for particular varieties of fish.

Referred to Committee on Fish and Game

Assembly Bill No. 849: By Messrs Levering, Babbage, Grant, Burke, Caldecott, Cloyed, Connolly, Grunsky, Hahn, Hansen, Kelly, and Luckel—An act to amend Sections 4, 6, and 11 of the Defense Production Act, relating to employment and working conditions of female employees.

Referred to Committee on Industrial Relations.

Assembly Bill No. 850: By Messrs. Rosenthal and Brown—An act to amend Section 10675 and to repeal Section 10679 of the Health and Safety Code, relating to offenses in connection with the registration of births, deaths, and marriages

Referred to Committee on Public Health.

Assembly Bill No. 851: By Messrs. Rosenthal and Brown—An act to add Sections 1629.5 and 1632 to the Welfare and Institutions Code, relating to the reception, care, and placement of children, and prohibiting the advertising of unauthorized services in connection therewith.

Referred to Committee on Judiciary

Assembly Bill No. 852: By Messrs. Rosenthal and Brown—An act to amend Section 701 of the Welfare and Institutions Code, relating to minors who should be declared free from parental custody and control

Referred to Committee on Judiciary.

Assembly Bill No. 853: By Messrs. Rosenthal and Brown—An act to amend Section 1500 of the Welfare and Institutions Code, and to add Section 1500.5 thereto, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies

Referred to Committee on Judiciary.

Assembly Bill No. 854: By Messrs. Rosenthal and Brown—An act to amend Sections 204 and 2500 of the Welfare and Institutions Code, relating to protection, care, and assistance to women during and following pregnancy.

Referred to Committee on Judiciary

Assembly Bill No. 855: By Messrs. Rosenthal and Brown—An act to amend Section 226 of the Civil Code, relating to adoption of children

Referred to Committee on Judiciary.

Assembly Bill No. 856: By Messrs. Rosenthal and Brown—An act to amend Sections 224, 224p, 226a, 226b, and 227b of the Civil Code, and to add Sections 226c, 227d, and 227e thereto, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 857: By Messrs. Rosenthal and Brown—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 858: By Messrs. Rosenthal and Brown—An act to amend Section 257 of the Probate Code, relating to adopted children.

Referred to Committee on Judiciary.

Assembly Bill No. 859: By Messrs. Rosenthal and Brown—An act to amend Section 702 of the Welfare and Institutions Code, relating to contributing to the delinquency of a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 860: By Mr. Thomas—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 861: By Mr. Thomas—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel, relative to passage of bills prior to the constitutional recess, be ordered printed in the Journal in 10-point type:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 12, 1951

Hon. Laughlin E. Waters
Assembly Chamber

PASSAGE OF BILLS PRIOR TO CONSTITUTIONAL RECESS No. 4124

DEAR MR. WATERS: You have asked us whether the houses of the Legislature may pass any type of bill prior to the constitutional recess required by Section 2 of Article 4 of the State Constitution or whether the power to pass bills is restricted to urgency measures.

It is our opinion that the Legislature has full power to pass any type of bill prior to the constitutional recess.

There is nothing in the Constitution of this State that restricts the power of the Legislature to pass bills of any type prior to the constitutional recess. The Constitution does restrict the number of bills that may be introduced after the constitutional recess and as a result most bills are introduced during the January portion of the session, but there is no legal reason why the houses cannot pass any type of bill prior to the recess if they desire to do so.

The only restriction on the enactment of bills which should be borne in mind is the requirement in Section 34 of Article 4 that until the Budget Bill has been finally enacted, neither house shall place upon the final passage any other appropriation bill, except the emergency bills recommended by the Governor, or appropriations for the salaries, mileage and expenses of the Senate and Assembly. This restriction applies, of course, both before and after the constitutional recess.

We note that an opinion of this office on the same subject and expressing the same conclusions was printed in the Assembly Journal for January 15, 1943, on page 243.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT OF THE LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dills asked for, and was granted, unanimous consent that a letter of transmittal and Report of the Legislative Counsel on Needed Revision of the Statutes be ordered printed in the Journal, and that the report be printed in 10-point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS A SEPARATE DOCUMENT AND THAT 500 ADDITIONAL COPIES BE PRINTED

Mr. Dills asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and report be ordered printed as a separate document, and that 500 additional copies be ordered printed

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

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

Assembly Bill No. 862: By Mr Hansen—An act to amend Section 26150 of the Government Code and Sections 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 863: By Mr Hansen—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 864: By Mr. Hansen—An act to amend Section 737j of the Political Code and Section 79.10 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 865: By Mr. Caldecott—An act to amend Section 44 of the Public Utilities Act, approved April 23, 1915, relating to public utilities.

Referred to Committee on Judiciary.

Assembly Bill No. 866: By Mr Caldecott—An act to amend Sections 1184, 1184d, and 1184e of the Code of Civil Procedure, relating to mechanics liens.

Referred to Committee on Judiciary.

Assembly Bill No. 867: By Mr. Coats—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 868: By Messrs Grant and McCollister—An act to amend Section 19333 of the Government Code, relating to authorizing absences from veterans' homes.

Referred to Committee on Military Affairs.

Assembly Joint Resolution No. 5: By Mr. Thomas—Relative to memorializing the President of the United States in relation to the fishing rights of Japanese nationals in the coastal fisheries of the United States.

Referred to Committee on Rules

Assembly Joint Resolution No. 6: By Mr. Lindsay—Relative to memorializing Congress to appropriate money for the conversion of United States Highway Route 40 into a four-lane divided highway.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 11: By Mr. Gubser—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 12: By Mr. Stanley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments

Assembly Bill No. 869: By Messrs Tomlinson, Babbage, Kelly, Kirkwood, Levering, Lowrey, and Moss—An act to add Article 2.5 to Chapter 10 of Division 3 of the Education Code, relating to the collections and apportionment of a County School District Equalization Fund.

Referred to Committee on Education.

Assembly Bill No. 870: By Mr. Hawkins—An act to amend Sections 19601, 19608, 19613, and 19613 7, and to repeal Sections 19601.6, 19613.5, and 19617 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

ANNOUNCEMENT

Mr. Dickey announced a proposed change in the Standing Rules, and urged the members to read House Resolution No. 36 as it will presently appear in the Journal.

RESOLUTIONS

The following resolution was offered:

By Mr. Hollibaugh:

House Resolution No. 36

Relative to adding Rule No 41 5 to the Permanent Standing Rules of the Assembly relating to committee amendments

Resolved by the Assembly of the State of California. That Rule No. 41.5 is added to the Permanent Standing Rules of the Assembly, to read:

41.5. In furtherance of the thorough consideration of all bills on a given subject by the appropriate standing committee, whenever a standing committee reports a bill back to the Assembly with a recommendation that amendments be adopted, the report shall also recommend that the bill be re-referred to the appropriate standing committee if the amendments relate to a subject that is properly a matter for consideration by such other standing committee. If the recommended amendments are adopted, the bill shall then be re-referred to the appropriate committee for further consideration.

The provisions of this rule do not apply to amendments recommended by the Committee of the Whole or to amendments from the floor that are adopted as provided in Rule 52.

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

MOTION TO USE ASSEMBLY CHAMBER

Mr. Dickey moved that the Committee on Rules be permitted to grant permission to the California Newspaper Publishers Association to use the Assembly Chamber on February 9th, 10th, and 11th for the purpose of holding its sixty-third annual convention

Mr. Doyle seconded the motion

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FINAL INTERIM FACT-FINDING COMMITTEE REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Fact-Finding Committee on Highways, Streets, and Bridges (created by House Resolution No. 281) be ordered printed in the Journal, and that the report be ordered printed in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL AND AS SEPARATE DOCUMENT

Mr. Dills asked for, and was granted, unanimous consent that a letter of transmittal and Final Report of the Assembly Interim Committee on Cemetery, Mausoleum, Crematorium and Similar Associations be ordered printed in the Journal, in 10-point type, and that 500 copies of said letter of transmittal and report be printed as a separate document.

(Above mentioned letter of transmittal and final report will appear prior to the motion to adjourn.)

APPOINTMENT OF MEMBERS TO COMMITTEE ON WAYS AND MEANS ORDERED NOTED IN CORRECTED JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Assembly Journal for Wednesday, January 10th, page 209, be corrected to show that Messrs. Meyers and Klocksiem were appointed members of the Committee on Ways and Means.

RESOLUTIONS

The following resolutions were offered:

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one complete set of the code to each Member of the Assembly, and one complete set of the code to the Chief Clerk of the Assembly

Resolution read, and ordered referred to the Committee on Rules

By Messrs. Fleury and Moss:

House Resolution No. 38

Relative to the March of Dimes Campaign

WHEREAS, We are inescapably, as citizens of a civilized society, interested in securing maximum opportunity for all disabled persons to be physically and economically restored to maximum effectiveness; and

WHEREAS, Infantile paralysis continues to take a larger toll of American life and health each year, with a record epidemic of more than 47,000 cases in 1949 and over 30,000 new cases in 1950; and

WHEREAS, The National Fundation for Infantile Paralysis has coordinated the efforts of all segments of science and society in a fight against this disease for the past 12 years, with the result that much needless crippling and loss of life has been avoided through intelligent and timely financial and medical assistance to the individual patient who needs, but could not otherwise sustain himself in care; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly commend the National Foundation for Infantile Paralysis for its humanitarian purposes and function, and endorse its supporting activity, the 1951 March of Dimes; and be it further

Resolved, That we collectively and individually pledge our support to the continuation and furtherance of this work toward the objective of freeing our society from the scourge of infantile paralysis and the reclamation of those unfortunate victims of the disease who must have help in their struggle against its ravages.

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

By Messrs. Maloney, Sam L. Collins, and Fleury:

House Resolution No. 39

Relative to the March of Dimes

WHEREAS, Today, January 15, 1951, starts the annual drive for the March of Dimes, with all contributions to be used for the purpose of giving needed care to the victims of infantile paralysis; and

WHEREAS, To help prevent this dreadful crippling disease from taking its toll, and to help nurse those who still need care, The National Infantile Paralysis Foundation is asking everyone to contribute as many dimes as he possibly can to assist in this worthy cause; now, therefore, be it

Resolved, That the Assembly of the State of California in regular session assembled, does hereby request the people of California to generously support the polio drive by way of their contributions to the March of Dimes.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 39, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Mr. Maloney announced that former Assemblyman Alfred W. Robertson, of Santa Barbara, is ill, and urged all Members of the Assembly to write individual letters expressing best wishes for his rapid recovery.

Mr. Maloney announced that a former Assembly Page, Charlie "Red" Irwin is at present in the Oak Knoll Hospital in Oakland, Ward 42-B, as a victim of the war in Korea. "Red," popular Page in the Sessions of 1945 to 1947, has had to have both legs amputated, many blood transfusions, and has suffered bullet wounds in his thighs. Mr. Maloney called on him on behalf of the Members of the Assembly, and expressed sincere regrets that Charlie Irwin has experienced such a grave misfortune, and urged all members and attaches to write personal letters to him at once.

RESOLUTIONS

The following resolution was offered:

By Messrs. Waters and Morris:

House Resolution No. 40

Re W. H. (Bud) Lollier

WHEREAS, It was with a deep feeling of regret that the Members of the Assembly learned of the illness of W. H. (Bud) Lollier, who for many years has worked with us and whom we have learned to love and respect because of his many fine qualities;

WHEREAS, As the 1951 Session convened on January 8th, for the first time since "Bud" Lollier became a legislative representative his presence was noticeably missed by those who were associated with him, and by his many friends who not only include the Legislators, but his admirers in all walks of life, who amiably assemble when a session of the Legislature convenes; and

WHEREAS, It is with happiness and joy that word has been received from Bud's home in Los Angeles that the serious major operation which confined him to a hospital bed for many weeks, has proved successful, and that Bud is now well on the road to complete recovery; now, therefore, be it

Resolved, That the Members of the Assembly of the State of California, regularly assembled this twelfth day of January, 1951, extend to W. H. (Bud) Lollier our sincere best wishes for a complete and speedy recovery, and pray that before this session ends the members may have the pleasure of seeing and greeting Bud as hale, hearty and strong as he was on his first visit to the Legislature; and be it further

Resolved, That a suitable copy of this resolution be forwarded to W. H. Bud Lollier.

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

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

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

Assembly Bill No. 871: By Mr. Silliman—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Referred to Committee on Education.

Assembly Bill No. 872: By Mr. Silliman—An act making an appropriation for the support of the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 873: By Mr. Silliman—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for regulating the appropriation and expenditure of money in said fund.

Referred to Committee on Agriculture.

Assembly Bill No. 874: By Mr. Silliman—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Referred to Committee on Education.

Assembly Bill No. 875: By Mr. Silliman—An act making an appropriation for permanent improvements at the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 876: By Mr. Silliman—An act making an appropriation for the construction of dormitories at the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 877: By Mr. Waters—An act to amend Sections 11100 and 11101 of the Elections Code, relating to municipal elections

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 878: By Messrs. Waters and Conrad—An act to add Section 13539 to the Government Code, relating to the size of reports.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 879: By Mr. Waters—An act to add Sections 31627.1, 31629, 31671.1, 31765, and 31784 to, and to amend Sections 31527, 31552, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13, consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3, of Part 3, of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 880: By Mr. Waters—An act to add Section 31765 to the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 881: By Mr. Waters—An act to add Section 1101.1 to the Insurance Code and to amend Section 1106 of such code, relating to brokerage commissions on reinsurance, and penalties therefor.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 882: By Mr. Waters—An act to add Section 22.5 and 23.5 to the Insurance Code, relating to the definition of insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 883: By Mr. Waters: An act to amend Section 1031 of the Insurance Code, relating to mutual debts or credits in liquidating proceedings.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 884: By Mr. Waters—An act to amend Section 1730 of, and to add Section 1734 to the Insurance Code, relating to receipt and holding of fiduciary funds by insurance and bail licensees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 885: By Mr. Waters—An act to amend Sections 922.1, 922.2 and 1591, to renumber and amend Section 922.5 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922 7, and 922.8 to, the Insurance Code, relating to financial statements of insurers

Referred to Committee on Finance and Insurance

Assembly Bill No. 886: By Messrs. Burkhalter and McMillan—An act to amend Sections 867 and 868 of the Fish and Game Code, relating to yellowtail, barracuda, and white sea bass.

Referred to Committee on Fish and Game

Assembly Bill No. 887: By Messrs. Burkhalter and McMillan—An act to add Section 492.2 to the Fish and Game Code, relating to anchovies

Referred to Committee on Fish and Game.

Assembly Bill No. 888: By Messrs. Morris and Levering—An act to amend Section 13161 of the Government Code, relating to the display of flags over public buildings.

Referred to Committee on Military Affairs.

Assembly Bill No. 889: By Mr. Morris—An act to amend Section 550 of the Military and Veterans Code, relating to the California Defense and Security Corps.

Referred to Committee on Military Affairs.

Assembly Bill No. 890: By Mr. Morris—An act to amend Sections 76, 77, 78, 78.1, 79, and 83 of the Unemployment Insurance Act, relating to the Appeals Board.

Referred to Committee on Finance and Insurance.

RECESS

At 12.09 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

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

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

Assembly Bill No. 891: By Mr. Morris—An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 892: By Mr. Morris—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities, counties and school districts from sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 893: By Messrs. Morris and Rosenthal—An act to call a special election to be consolidated with the direct primary election of 1952 and to provide for the submission to the electors of the State at such consolidated election an amendment to the Constitution of the State, proposed by the Legislature at the 1951 Regular Session, relating to the right to vote.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 894: By Messrs. Dickey, Lincoln, Rumford, Caldecott, and Sherwin—An act to amend Section 737a of the Political Code and Section 79.1 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 895: By Mr. Burkhalter—An act to add Sections 8527.5, 8527.6, and 8527.7 to, and Article 5.5, comprising Sections 8595 to 8601, inclusive, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Agriculture.

Assembly Bill No. 896: By Mr. Burkhalter—An act to amend Sections 8525, 8635, 8636, 8642, 8643, 8644, 8645, 8646, and 8648 of, and to add Sections 8613, 8614, 8615, 8616, 8617, and 8618 to, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Agriculture.

Assembly Bill No. 897: By Mr. Hansen—An act to amend Section 405 of the Education Code, relating to county school superintendents' salaries in counties of the fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 898: By Messrs. Geddes and Dolwig—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks

Referred to Committee on Finance and Insurance.

Assembly Bill No. 899: By Mr. Brown—An act to add Section 6357.2 to the Education Code, relating to school district taxes levied for the purposes of community recreation.

Referred to the Committee on Revenue and Taxation.

Assembly Bill No. 900: By Mr. Brown—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

Referred to Committee on Education.

Assembly Bill No. 901: By Messrs. Fleury and Brown—An act to amend Sections 6087 and 6100 of the Business and Professions Code, relating to discipline of attorneys.

Referred to Committee on Judiciary.

Assembly Bill No. 902: By Messrs. Fleury and Brown—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims.

Referred to Committee on Judiciary.

Assembly Bill No. 903: By Messrs. Fleury and Brown—An act to amend Section 214 of the Code of Civil Procedure, relating to juries.

Referred to Committee on Judiciary.

Assembly Bill No. 904: By Messrs. Fleury and Brown—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments.

Referred to Committee on Judiciary.

Assembly Bill No. 905: By Messrs. Fleury and Brown—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 906: By Mrs Niehouse—An act to amend Section 51a of the Public Utility District Act of 1921, relating to annexation

of unincorporated contiguous territory so as to authorize annexation of territory whether contiguous or not.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 907: By Mrs. Niehouse—An act to amend Section 45 of the Public Utility District Act of 1921, relating to debts in excess of limits being void except in cases where district finances waterworks by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such waterworks to payment thereof.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 908: By Mrs. Niehouse—An act to add Section 30.03 to the Public Utility District Act of 1921, authorizing public utility districts to accept loans and contributions from the State of California.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 909: By Mrs. Niehouse—An act to add Section 30.02 to the Public Utility District Act of 1921, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 910: By Mrs. Niehouse—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 911: By Mr. Geddes—An act to amend Sections 115, 5001, 5301, 5302, 5309, 5310, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5909, 5910, and 5952 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5907, 5908, and 5950 of said code and add new Sections 5314, 5906, 5907, 5908, and 5950 to said code; to repeal Section 5315 of said code; and to amend the titles of Division 4, Part 4, Chapter 7 and Division 4, Part 4, Chapter 7, Article 1 of said code, all relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 912: By Mr. Geddes—An act to amend Section 11789 of the Insurance Code, relating to the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 913: By Messrs. Geddes and Dunn—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 914: By Messrs. Geddes, Dunn, Burke, and Doyle—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 915: By Mr. Hollibaugh—An act to revise the system by which revenues are collected for the support of the public streets and highways of the State, and, for that purpose, to amend Sections 130, 140, 140.3, 141, 143, 159, 160, 164, 164.5, 164.7, 182.1, 371, 372, 372.3, 372.5, 373, 376, 378, and 384 of, and to add Sections 38.2, 50.2, 140 5, 155.5, 372.1, 372.2, and 373.3 to, the Vehicle Code; and to repeal Section 9654 of, to amend Sections 8651, 9606.7, 9651, 10755, 10756, 10757, 10851, 10854, and 10856 of, and to add Section 9654 to, the Revenue and Taxation Code.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT

Mr. Brown announced the reasons why the bills being introduced on the creation of new municipal courts under the Inferior Court Reorganization Plan are skeleton bills; suggested that anyone having questions relative to this matter direct those questions to Mr. Norton, his secretary; and that he will co-author each of said bills as Chairman of the Assembly Committee on Judiciary.

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

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

Assembly Bill No. 916: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 917: By Messrs Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 918: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 919: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 920: By Messrs Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to repeal Sections 75 and 76 and to amend Section 83 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 921: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 83 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 922: By Messrs. Hollibaugh, Hahn, Munnell, Rosenthal, Chapel, and Evans—An act to repeal Section 75 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 923: By Messrs. Hollibaugh, Hahn, Munnell, Rosenthal, Chapel, and Evans—An act to repeal Section 61 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 924: By Mr. Davis—An act to amend Section 25150 of the Government Code, relating to board of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 925: By Messrs. Davis, Belotti, and Chapel—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Referred to Committee on Fish and Game.

Assembly Bill No. 926: By Mr Davis—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 927: By Mr. Maloney—An act to amend Section 30608 of the Streets and Highways Code, relating to reimbursement of the State Highway Fund of expenditures appertaining to the highway approaches to the San Francisco-Oakland Bay Bridge.

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

Assembly Bill No. 928: By Messrs. Rosenthal, Hahn, Smith, Munnell, Evans, and Waters—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Judiciary

Assembly Bill No. 929: By Messrs. Rosenthal, Hahn, Smith, Munnell, Evans, and Waters—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks.

Referred to Committee on Judiciary.

Assembly Bill No. 930: By Messrs Rosenthal, Hahn, Smith, Munnell, Evans, and Waters—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 931: By Messrs. Rosenthal, Hahn, Munnell, Evans, and Waters—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 932: By Messrs. Rosenthal and Munnell—An act to amend Section 151 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 933: By Messrs. Rosenthal and Munnell—An act to amend Section 151 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 934: By Messrs. Rosenthal and Munnell—An act to amend Sections 150 and 152 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 935: By Messrs. Rosenthal and Munnell—An act to add Section 39 2 to the Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 936: By Mr. Erwin—An act to add Section 610.8 to the Fish and Game Code, relating to golden trout.

Referred to Committee on Fish and Game.

Assembly Bill No. 937: By Mr. Kelly—An act to repeal Sections 2 and 3 of the act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property.", approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections, to provide for transfer of property acquired under the said act to the Department of _____, and revoking authority for transfer of the California Institution for Women.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 938: By Mr. Silliman—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 939: By Mr. Butters—An act to amend Section 31 of the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 940: By Mr. Butters—An act to amend Section 485 of the Vehicle Code, relating to drivers of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 941: By Mr. Butters—An act to amend Section 102 of the Water Code, relating to water.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 942: By Mr. Butters—An act to amend Section 103 of the Water Code, relating to water.

Referred to Committee on Agriculture.

Assembly Bill No. 943: By Mr. Butters—An act to amend Sections 26075 and 26076 of the Water Code, relating to assessments by irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 944: By Mr. Butters—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 945: By Mr. Butters—An act to amend Section 954 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 946: By Mrs. Niehouse, Messrs. Luckel, and Cloyed—An act to add Section 13409 to the Education Code, relating to teachers' institute.

Referred to Committee on Education.

Assembly Bill No. 947: By Mr. Levering—An act to add Article 3.5 comprising Sections 1020 to 1023, inclusive, to Part 3, Division 2 of the Labor Code, relating to labor organizations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 948: By Mr. Levering—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 949: By Messrs. Kilpatrick, Hagen, Condon, Rosenthal, Burke, and Munnell—An act to add Section 209.5 to the Penal Code, relating to kidnapping.

Referred to Committee on Judiciary.

Assembly Bill No. 950: By Messrs. Kilpatrick, Condon, Hagen, Rosenthal, Burke, Munnell, and Mrs. Niehouse—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Referred to Committee on Judiciary

Assembly Bill No. 951: By Mr. Rumford—An act to amend Sections 4030, 4032, and 4040 of, and to add Section 4034 to, the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 952: By Mr. Rumford—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs

Referred to Committee on Public Health.

Assembly Bill No. 953: By Mr. Rumford—An act to amend Section 4256 of the Business and Professions Code, relating to fees charged by the California State Board of Pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 954: By Mr. Stewart—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas.

Referred to Committee on Judiciary.

Assembly Bill No. 955: By Mr. Stewart—An act to amend Sections 84, 137, 137.5, 138, 139, 140, 141, 146, and 169 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

Referred to Committee on Judiciary.

Assembly Bill No. 956: By Mr. Luckel—An act to amend Section 200 of the Labor Code, relating to the definition of the terms "wages," "labor," and "discharge," as used in Article 1, Chapter 1, Part 1, Division 2 of the Labor Code.

Referred to Committee on Industrial Relations.

Assembly Bill No. 957: By Mr. Luckel—An act to amend Section 11041 of the Government Code, relating to legal services for the Division of Labor Law Enforcement.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 958: By Mr. Burkhalter—An act to amend Section 1900 of the Labor Code, relating to public agencies

Referred to Committee on Municipal and County Government.

Assembly Bill No. 959: By Messrs. Lindsay, Moss, Hansen, and Coats—An act to add Section 13.9 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 960: By Messrs. Lindsay, Moss, Hansen, and Coats—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of

property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 961: By Messrs. Caldecott, Brown, Rosenthal, Smith, Babbage, Fleury, and Moss—An act to amend Section 640 of, and to add Section 640.1 to, the Penal Code, relating to the detection or interception of telegraphic and telephonic communications.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 12: By Mr. Lindsay—Relative to the completion of a freeway on United States Highway Route 40.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 13: By Mr. Stewart—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 962: By Messrs. Smith, Rosenthal, Grant, Brown, and McGee—An act to amend Section 4300*l* of the Political Code and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees.

Referred to Committee on Judiciary.

Assembly Bill No. 963: By Mr. Dills—An act to add Section 5854 to the Streets and Highways Code, and Section 4887.5 to the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 964: By Mr. Dills—An act to amend Section 5837 of the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 965: By Mr. Burke—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1951

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

Assembly Concurrent Resolution No. 7

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

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 15, 1951

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

Senate Concurrent Resolution No 14

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 14—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1951

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

Senate Bill No. 16
Senate Bill No. 17
Senate Bill No 18

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 16—An act making an appropriation in augmentation of Item 5 of the Budget Act of 1950, for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 17—An act making an appropriation for mileage of the Members and officers of the Senate, to take effect immediately.

Referred to Committee on Rules

Senate Bill No. 18—An act to amend Section 3466a of the Political code and Section 51681 of the Water Code, relating to reclamation districts.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 30

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

DICKEY, Chairman

Above reported resolution ordered on file

COMMUNICATIONS

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 12, 1951

RE: S. C. R. 6, 1950 REGULAR SESSION

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

DEAR MR. OHNIMUS: By Senate Concurrent Resolution No. 6, introduced by Mr. Donnelly and Mr. Hatfield, the Department of Public Works through the Division of Highways was requested to investigate the feasibility of constructing an expressway between Los Angeles and San Francisco to be financed by the issuance of revenue bonds to be paid by the collection of tolls for the use of the highway.

Such an investigation has been made by the Division of Highways in cooperation with the U. S. Bureau of Public Roads. A copy of the report which has been prepared as a result of this study is enclosed. Additional copies will be furnished at an early date.

Very truly yours,

C. H. PURCELL, Director of Public Works

Enclosure

Above transmitted copy of report ordered referred to the Committee on Conservation, Planning, and Public Works.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 2.30 p.m., Mr. Lyon asked for, and was granted, unanimous consent that he and Messrs. George D. Collins, Conrad, Hawkins, and Stanley be excused, for the purpose of holding a meeting of the Subcommittee on Elections and Reapportionment to consider contested elections, at this time, in Room 426.

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

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

Assembly Bill No. 966: By Messrs. Grant and Thomas—An act to add Chapter 4, comprising Sections 591 to 737, inclusive, to Division 3 of the Harbors and Navigation Code, relating to inspection, licensing and registration of vessels, and making an appropriation.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 967: By Mr. Thomas—An act to amend Sections 7055, 7056, 7057, 7058, and 7059 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 968: By Messrs. Fleury and Moss—An act to amend Sections 461, 464, and 464.5 of the Agricultural Code, relating to the serving and sale of market milk.

Referred to Committee on Agriculture.

Assembly Bill No. 969: By Mr. Brown—An act to add Section 8215 to the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 970: By Mr. Condon—An act to add Section 3212.7 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 21:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 15, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 21, "An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

Approval of this measure at this time is necessary to the continuance of child care centers after February 15, 1951.

I therefore recommend consideration of Assembly Bill No. 21 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—Babbage, Butters, and Lowrey—3

Request for Unanimous Consent That Their Names Be Placed Upon Roll Call on Urgency Clause to Assembly Bill No. 21

Messrs. Elliott, Hawkins, George D. Collins, and Burkhalter asked for, and were granted, unanimous consent that their names be placed upon the roll call on the urgency clause to Assembly Bill No. 21, and that they be recorded as voting "Aye."

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—Babbage, Butters, and Lowrey—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 30

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 30, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 30

By Mr. Waters:

House Resolution No. 30

Relative to making funds available for the expenses of the Assembly Standing Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, That the sum of _____ dollars ($_____) from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Elections and Reapportionment for the expenses of the committee and its members and for any charges, expenses or claims it may incur in connection with Assembly election contest matters that have been or may be referred to it by the Assembly, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the measure, as printed in the Assembly Journal of January 11, 1951, on page 239, line 1, after "sum of", insert "five thousand".

Amendment No. 2

In the measure, as printed in the Assembly Journal of January 11, 1951, on page 239, line 2, after "dollars", insert "($5,000)".

Amendment No. 3

In the measure, as printed in the Assembly Journal of January 11, 1951, on page 240, after the last paragraph, insert

"When the contest involves a recount, the contestant is, in the first instance, liable for the expenses of the recount. He shall pay or advance each day to the committee, subcommittee, or commissioner conducting the recount such sums as the committee, subcommittee or commissioner finds necessary to pay all expenses as will have accrued by the end of the day. Such sums shall be part of the costs From such sums the clerical assistants necessary for the recount shall be paid. Otherwise, each party is primarily liable for the payment of costs created by himself to the witnesses or other persons entitled thereto."

Amendments read, and adopted.

Consideration of House Resolution No. 30, as Amended

By Mr. Waters:

House Resolution No. 30

Relative to making funds available for the expenses of the Assembly Standing Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, That the sum of five thousand dollars ($5,000) from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Elections and Reapportionment for the

expenses of the committee and its members and for any charges, expenses or claims it may incur in connection with Assembly election contest matters that have been or may be referred to it by the Assembly, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

When the contest involves a recount, the contestant is, in the first instance, liable for the expenses of the recount He shall pay or advance each day to the committee, subcommittee, or commissioner conducting the recount such sums as the committee, subcommittee or commissioner finds necessary to pay all expenses as will have accrued by the end of the day Such sums shall be part of the costs. From such sums the clerical assistants necessary for the recount shall be paid. Otherwise, each party is primarily liable for the payment of costs created by himself to the witnesses or other persons entitled thereto.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 31, on motion of Mr. McCollister.

Assembly Concurrent Resolution No. 5, on motion of Mr. McCollister.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1951

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

Assembly Joint Resolution No. 1

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

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 2

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Joint Resolution No 1

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 40

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

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No 7
Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 9

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to approving an amendment to the Charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Waters, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT OF ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Finance and Insurance be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

ANNOUNCEMENTS

Speaker Sam L. Collins announced, on behalf of Mr. Stanley, a Republican breakfast meeting, and Caucus, tomorrow morning, Tuesday, January 16th, at 7.30 a.m., at the Hotel Sacramento.

Mr. Beck announced a Democratic luncheon meeting, and Caucus, tomorrow noon, Tuesday, January 16th, upon recess, at the Hotel Sacramento.

PARLIAMENTARY INQUIRY

Mr. Dunn asked for a ruling from the Speaker as to the final date on which final Assembly interim committee reports are due.

Ruling by Speaker

Speaker Sam L. Collins ruled that because of the adoption of House Resolution No 28, authorizing a change in date for the filing of final reports, the final date for the filing of Assembly interim committee reports will not be as originally stipulated, but will be as of the date of adjournment sine die.

COMMUNICATIONS

By the Chief Clerk:

A communication and a resolution from Richard Graves, Executive Director of the League of California Cities, relative to state participation in the civil defense program, were received, and ordered referred to the Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, in the continuance of interim committees created by resolutions which provided that the membership should be the same as the membership of the corresponding standing committee, the newly appointed standing committee will constitute the membership of the interim committee.

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

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

Assembly Bill No. 971: By Mr. Davis—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 972: By Messrs. Porter, Mrs. Niehouse, Messrs. Luckel, Cooke, Chapel, Condon, Dolwig, Gubser, Hagen, and Porter—An act to add Article 3 to Chapter 17, Part 2, Division 3, Title 4 of the Government Code, relating to the population of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 973: By Mr. Maloney—An act to amend Sections 3501, 3502, and 3503 of, and to add Sections 4703.1 to 4703.6, inclusive, to, the Labor Code, relating to death benefits in workmen's compensation cases.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 974: By Mr. Maloney—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 975: By Mr. Maloney—An act to amend Sections 4600, 5411, 5412, 5904, and 5950 of the Labor Code, relating to workmen's compensation, including the subjects of injuries and procedure before the Industrial Accident Commission.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 976: By Mr. Maloney—An act to amend Sections 51, 53, and 60 of the Labor Code, relating to the general powers and duties of the Department and Director of Industrial Relations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 977: By Mr. Maloney—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 978: By Mr. Maloney—An act to add Section 3760 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 979: By Mr. Maloney—An act to amend Section 3710 of, to add Sections 3710.1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 980: By Mr. Maloney—An act to amend Section 6410 of the Labor Code, relating to the failure to report injuries and the penalty therefor.

Referred to Committee on Industrial Relations.

Assembly Bill No. 981: By Mr. Maloney—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 982: By Messrs. Lanterman, Burke, and Munnell—An act to add Sections 34303.5 and 35002 to the Government Code, relating to cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 983: By Messrs. Lanterman, Burke, and Munnell—An act to amend the title of and to add Section 10 to "An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939," approved July 15, 1949, relating to the boundaries of cities and of taxing districts.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 13: By Messrs. Morris and Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Geddes:

House Resolution No. 41

Relative to the augmentation of funds of the Assembly Interim Committee on Finance and Insurance

WHEREAS, Recent events have demonstrated the need for the Assembly Interim Committee on Finance and Insurance to conduct hearings on the subject of allegedly fraudulent operation of medical and health associations; and bills presently referred to the standing Committee on Finance and Insurance; and

WHEREAS, The funds presently available to the committee are insufficient to meet the expenses necessary for the conduct of such hearings; now, therefore, be it

Resolved by the Assembly of the State of California, That in additon to any sum heretofore made available to the Assembly Interim Committee on Finance and Insurance, created by House Resolution No 239 of the 1949 Regular Session and continued in existence by House Resolution No 28 of the 1951 Regular Session, the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under House Resolution No. 28 of this session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

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

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

Assembly Bill No. 984: By Mr Burkhalter—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 985: By Mr. Burkhalter—An act to amend Section 18100 of Division 13, Part 2 of the Health and Safety Code, relating to auto courts and resorts, auto and trailer parks

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced the following committees would hold meetings:

Today—

At 1.45 p.m.—

Rules.

At 3 p.m.—

Ways and Means.

At 7.30 p.m.—

Joint Committee to Study Old Age Assistance Initiative Measure, in Room 415.

Tomorrow, Tuesday, January 16th—

At 9 a.m.—

Subcommittee on Rules (Subject: Consideration of amendments to Rules), in Room 319.

At 10 a.m.—

Rules, in Room 319.

Joint Committee to Study Crossfiling Initiative Measure, in Room 414

At 8 p.m.—

Fish and Game (Organizational Meeting)

LETTER OF TRANSMITTAL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 14, CALIFORNIA, January 15, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber

DEAR SPEAKER COLLINS: I am pleased to transmit herewith a copy of the 1951 Report of the Legislative Counsel on Needed Revision of the Statutes.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel

REPORT OF THE LEGISLATIVE COUNSEL ON NEEDED REVISION OF THE STATUTES

To the Senate and Assembly of the State of California:

The Legislative Counsel is required by Government Code, Section 10242, to "advise the Legislature from time to time as to needed revision of the statutes," and to present a "statement calling attention to laws which have been repealed by implication or which have been declared unconstitutional by the courts but which have not been expressly repealed." Following practice inaugurated by Hon. Fred B. Wood, I am submitting herewith the current report which includes those suggestions for corrective and clarifying amendments which will better express the legislative intent. These matters have been accumulated in our files during the biennium, from suggestions which have come from members of the staff, public officials and members of the public.

No bills are being submitted to you at this time. Many of the suggestions for clarification included in this report can be provided for during the course of the present session by those interested in the particular statutes involved If Members of the Legislature desire to have bills prepared for them in order to make any of the suggested corrections, this office will gladly do so.

1. GENERAL SUGGESTIONS

The effect on our statute law of the 1950 Federal Census should be carefully considered by those concerned with local government. The classification of counties, contained in Government Code, Section 28020, will be inconsistent with the actual facts revealed in the census. If this section is amended, however, to reflect the actual facts, great care must be taken in order that other provisions relating to county officers will no be inadvertently affected. (*See* Gov. Code, Secs. 28101 *et seq.*, relating to salaries of county officers; Education Code, Secs. 400 *et seq.*, relating to county superintendents of schools; Welfare and Institutions Code, Secs. 574 *et seq.*, relating to referees in juvenile court matters.) In some instances, provisions are made in the statutes for compensation of officers based upon *actual* population, rather than that set forth in the Government Code classification. (*See* Code of Civ. Proc., Sec. 204a, relating to jury commissioners.) Such provisions will require modification in order that the change in actual population reflected in the census will not produce inadvertent changes in the law relating to such officers.

Much of the Political Code has already been repealed, and its provisions transferred into other codes. The remainder is scheduled by the Code Commission for repeal at this session of the Legislature. Many sections of the Political Code are still referred to in the statutes of the State, however, and these references should be corrected to refer to the proper statutory provisions. Examples are found in Code of Civil Procedure, Section 261 (b); Education Code, Sections 175 and 176; and in Welfare and Institutions Code, Section 109. There are undoubtedly many other such references to be corrected.

2. PARTICULAR SUGGESTIONS

Agricultural Code

Secs.

736.3 (Item 51-1)—Subdivision (a)(4) of this section refers to former Penal Code, Sec. 654a, which is now contained in Bus. & Prof. Code, Secs. 17500 *et. seq.*, relating to false advertising.

799 (Item 51-2)—There is an error in the spelling of the word "Kahalili" in this section. The correct spelling is used in Sec. 802 of the code, that is, "Khalili."

Business and Professions Code

9041 (Item 51-3)—This section and several following it are temporary provisions inserted into the law at the time of the creation of the Board of Social Work Examiners Most, if not all, of these provisions are obsolete and should be repealed.

19480 (Item 51-4)—This section, and a number of others following it, were affected by Stats. 1950 (1st Extra Sess.), Chap. 21, which was intended to provide for the possibility that the Supreme Court might declare the Horse Racing Act unconstitutional. Since the court sustained the constitutionality of the Status in *Southern California Jockey Club, Inc.* vs. *Calif. Horse Racing Board,* (1950) 36 Adv. Cal. Rep. 107, it would be desirable to repeal Chapter 21.

Civil Code

Secs.

60, 69 (Item 51-5)—These sections of the code, relating to intermarriage between white persons and persons of certain other racial groups, were held unconstitutional in *Perez* vs. *Sharp*, (1948) 32 C.2d 711, 198 P 2d 17, by the Supreme Court of California.

557-566 (Item 51-6)—These sections of the code, relating to homestead corporations, were listed as obsolete in the 1909 Report of the Code Commissioners, p. 86. Repeal was recommended at that time.

Code of Civil Procedure

261b (Item 51-7)—This code section contains numerous references to Section 4300a of the Political Code which was repealed in 1947. The references should be corrected to refer to Gov. Code, Secs. 26820 *et seq.* In addition, there are two sections bearing this code section number, one of which should be renumbered. Finally, the section should be clarified in order to show its relationship to special statutes such as Labor Code, Sec. 101, exempting particular state agencies from the payment of fees. (See *Div. of Labor Law Enforcement* vs. *Moroney,* (1946) 28 C. 2d 344, 170 P. 2d 3.)

1268 (Item 51-8)—In the last line of paragraph 5 of this section the court is given power to render an "appropriated" judgment. This should be corrected to read "appropriate."

Education Code

175-176 (Item 51-9)—This section refers to sections of the Political Code which were repealed in 1945, and which became Secs. 11180, *et seq.,* of the Government Code.

4663 (Item 51-10)—This section provides for the filing of a petition by a majority of the "heads of families" residing in the district. This section was overlooked in 1943 when such phrases were changed to a "majority of the qualified electors." (*See* Stats. 1943, Chap. 696.)

6904 (Item 51-11)—There are two sections in the code bearing this number, the second having been added by Chap 74, Stats. 1950 (1st Extra Sess.).

7011-7020 (Item 51-12)—This article, added by Stats. 1950 (1st Extra Sess.), Chap. 74, contains erroneous cross-references. Where "7034" is used, the reference should be "7016"; and where "7037" is used, the reference should be "7019."

7109-7109.10 (Item 51-13)—This article, added by Stats. 1950 (1st Extra Sess.), Chap. 74, contains erroneous cross-references which resulted from the fact that the section numbers were taken from the original form of Assembly Bill No. 65 of that session.

19432 (Item 51-14)—This section was declared unconstitutional by the California Supreme Court in *Danskin* vs. *San Diego Unified School District.* (1946) 28 C. 2d 536, 171 P. 2d 885.

Government Code

Secs.

9020 (Item 51-15)—This section is inconsistent with Article IV, Sec. 2(a) of the Constitution (adopted November 8, 1949), which provides that the budget sessions shall commence at 12 noon "on the first Monday in March." The provision in this section ("on the first Monday after the first day of March") should be amended to conform to the constitutional provision.

9300 (Item 51-16)—This section, which provides for compensation of Members of the Legislature at the rate of $1,200 per year is obsolete, in view of the provisions for compensation at the rate of $300 per month contained in Article IV, Sec. 2(b) of the Constitution (adopted November 8, 1949).

9906 1 (Item 51-17)—There are two sections bearing this number, added separately by Chaps. 66 and 67 of the Stats. of 1950 (1st Extra. Sess.).

26529 (Item 51-18)—In the codification of this section in 1947 an error was made in limiting its provisions to county counsels appointed pursuant to state law ("pursuant to Chapter 12 of this part"), thus eliminating those county counsels appointed pursuant to charter provisions from the coverage of the section.

28153 (Item 51-19)—In subdivision (a) of this section the word "for" should be corrected to read "four."

37618, 37658, 37659 (Item 51-20)—These sections contain an erroneous reference to "Article 1, Chapter 5, Division 4" of the Government Code. The correct reference is "Article 1, *Chapter 4*, Division 4."

Insurance Code

1020 (Item 51-21)—The first "or" in subdivision (d) of this section should be changed to "of."

9060 (Item 51-22)—The reference in this section to Sec. 384 should be deleted since Sec. 384 was repealed in 1941.

10115 (Item 51-23)—The word "and" should be "or" in the following clause relating to the death of the insured: "dies on or after the date of the application, on or after the date of the medical examination, if any, *and* on or after any date specially requested in the application for the policy to take effect, whichever is later * * *."

10651 (Item 51-24)—This section should be repealed; it has ceased to have any meaning since the repeal of Sec. 10650 in 1941.

10880 (Item 51-25)—There are two sections bearing this number. The one added by Stats. 1935, Chap. 283, should have been numbered "10780" and is usually printed at that point in the code.

Health and Safety Code

4765 (Item 51-26)—This section, relating to county sanitary districts, was intended to carry the number "4765." That number is used in the title of Stats. 1949, Chap. 1018, and in the second section of the bill. The inadvertent use of "4675" before the text of the section should be corrected.

Secs.

18455.5 (Item 51-27)—In subdivision (c) of this section the word "line" should be "live."

Labor Code

1131-1136 (Item 51-28)—These sections were declared unconstitutional by the California Supreme Court in *In re Blandy,* (1947) 30 C. 2d 643, 184 P. 2d 892.

1596 (Item 51-29)—This section refers to Section 3664aa of the Political Code, which was repealed in 1935, and to Section 50¼ of the Public Utilities Act, which will be repealed if the Legislature adopts the recommended Public Utilities Code at this session. These erroneous cross-references should be corrected.

2102 (Item 51-30)—This section contains an erroneous cross-reference to "Article 3 of Chapter 1 of Part 9." It should refer to "Article 4," relating to labor camps.

2411 (Item 51-31)—This section contains the clause "subject to the provisions of this act." The reference should be "subject to the provisions of this *article,*" which is Article 4 (mentioned above) relating to labor camps

5300 (Item 51-32)—The reference in this section to the jurisdiction of the Industrial Accident Commission includes "Division 5," which relates to industrial safety This reference has been inaccurate since 1945 when the commission was relieved of responsibility in this field. (*See* Stats. 1945, Chap. 1431.)

Penal Code

1127 (Item 51-33)—This statute uses the word "may" with reference to a judge's duty to instruct the jury on the law. In *People* vs *Bender* (1945), 27 C. 2d 164, 176, 163 P. 2d 2, the court held that the duty was mandatory and that the statute should be read as though it said "must." It would be desirable to make the statute clearly state that the duty is mandatory.

2040 (Item 51-34)—There are two sections bearing this number. The one added by Stats. 1944 (Third Extra. Sess.) Chap. 2, should be renumbered to eliminate the duplication.

4700 (Item 51-35)—In this section dealing with costs incurred by a county where a prisoner in a state prison is tried for escape or attempted escape, the following language was inadvertently omitted when the section was enacted in 1941: "while away from the prison, the transportation of the prisoner to and from the prison, the costs of appeal,". The language should have been included in the list of items for which the counties are entitled to reimbursement.

Public Resources Code

5156 (Item 51-36)—Subdivisions (b) and (c) of this section were impliedly repealed by the enactment of the Collier-Burns Act of 1947, which precludes the use of highway subventions for public parks by the counties. (*See* Stats. 1947 (First Extra. Sess.), Chap. 11.)

Revenue and Taxation Code

Secs.

10755 (Item 51-37)—In the phrase "the fee imposed *by* this part of the year," the word "by" should read "for "

Streets and Highways Code

740.4 (Item 51-38)—This section contains a double-barrelled reference to the Planning Act (Stats. 1929, Chap. 838) and the Conservation and Planning Act (Stats. 1947, Chap. 807). In view of the fact that the former was repealed in 1947, and that the latter is scheduled for codification into the Government Code at this session of the Legislature, this reference should be corrected. (*See* Code Commission preprint, proposed Gov. Code, Sec. 65250.)

Welfare and Institutions Code

109 (Item 51-39)—This section contains a reference to Political Code provisions which were repealed in 1945 and which became Gov. Code, Secs 11180 et seq.

960 (Item 51-40)—The reference to "Article 5 of Chapter 1" in this section should read "Chapter 2." There is no Chapter 1.

2615 (Item 51-41)—This section was declared unconstitutional by the Supreme Court of the United States in *Edwards* vs. *California,* (1942) 314 U. S. 160, 62 S. Ct. 164.

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE

HOUSE RESOLUTION NO. 239

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, January 15, 1951

To: Hon. Sam L. Collins
Speaker of the Assembly

DEAR MR. SPEAKER: On behalf of the Assembly Interim Committee on Finance and Insurance I hand you the within report.

On March 27, 1950, at the First Extraordinary Session, there was introduced House Resolution No. 23, relative to specific directives to the Assembly Interim Committee on Finance and Insurance. Without repeating the entire text of the resolution here it should be noted that the subject matter of particular bills was referred to this committee for study. These bills had been introduced in the First Extraordinary Session of 1950, and related to unemployment insurance, unemployment disability insurance and workmen's compensation and were enumerated as follows: Assembly Bills Nos. 56, 57, 58, 59, 66, 75, 76, 78, 79, 85, 86, 87, 88, 90, 91, and 94; and it was stated that: "* * * The Assembly would be in a position to better evaluate the above mentioned proposed legislation if it had before it the data accumulated and reported upon by the Assembly Interim Committee on Finance and Insurance together with transcripts of testimony bearing on the matters under consideration and the recommendations of the committee * * *." On March 1, 1950, the above referred to resolution was adopted with an amendment specifying

that the Assembly Interim Committee on Finance and Insurance would report on the above matters not later than January 15, 1951.

In order to conform with the directive as to the date this token report is made:

Your committee noticed for hearing and heard arguments for and against the bills referred to exactly the same as if they had been bills before the standing committee with the exception that we had asked for and received written testimony from proponents and opponents and, also, from the Department of Employment, an estimate of cost factors involved and other relevant data. These matters and oral testimony appears in the transcript of the hearings of this committee held in Sacramento November 16 and 17, 1950, and properly belong in the section of this committee's final report devoted to these subjects.

However we would have prepared the particular section of the final report to be presented on this, the required date, had it not been for the fact that after our preliminary manuscript for the report had been gone over, corrected, annotated, and the tabulations and statistical matter carefully checked and the manuscript otherwise prepared for publication, we received notice from the Department of Employment that it desired to file with this committee a revision of the statistical material previously furnished, together with new material. This additional material was received by the chairman here in Sacramento on the opening date of the current session.

Manifestly, in the week's time intervening, it has not been possible for us to correlate and take into consideration and evaluate all of the changes involved. It may be that much of the testimony previously adduced must be either stricken from the committee's report or the witnesses given a chance to revise their statements.

Also it should be noted that during the course of the hearings of November 16 and 17, 1950, certain bills were made the subject of conferences by several parties in order to endeavor to arrive at some basis on which both sides could agree. These parties have notified this committee of having met but have not yet reported to it the details of any recommendations mutually satisfactory to the parties.

For these reasons we beg leave to submit this token report and include these matters in this committee's final report soon to be made.

Respectfully submitted,

Assembly Interim Committee on Finance and Insurance
By ERNEST R. GEDDES, Chairman
JULIAN BECK
BERNARD BRADY
ROBERT L. CONDON
RICHARD J. DOLWIG
THOMAS J. DOYLE
DONALD L. GRUNSKY
HAROLD K. LEVERING
GLENARD P. LIPSCOMB
THOMAS A. MALONEY
FRANCIS DUNN, JR.
G. DELBERT MORRIS

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
INTERIM COMMITTEE, HIGHWAYS, STREETS, AND BRIDGES
December 29, 1950

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR MR. SPEAKER: Your Committee on Highways, Streets, and Bridges created by H. R. 281, takes pleasure in handing you the accompanying report.

We appreciate the opportunity given us to further legislation concerning the problems of highways, streets, and bridges. It will be noted, however, that there were other committees duplicating a great many, if not all, of the functions originally assigned to this committee, and which were much better financed. Therefore, we left to them the determination of what recommendations should be made relative to traffic studies and solutions for traffic congestion, rapid transit, underpasses and overpasses, and such matters which are closely related to highway problems. We are confident that their forthcoming reports will not leave the Legislature uninformed on these subjects.

Respectfully submitted,

GLENN M. ANDERSON
ERNEST K. GEDDES
G. DELBERT MORRIS
FRANCIS DUNN, JR.

FINAL REPORT OF THE ASSEMBLY FACT-FINDING COMMITTEE ON HIGHWAYS, STREETS AND BRIDGES—NO. 246

(A. J. July 1, 1949, pp. 5331-5333)

The scope of the committee's field of investigation, under House Resolution No 281, as outlined in a letter from the office of the Legislative Counsel, dated October 14, 1949, includes:

"A complete analysis of all the problems involved in the planning and construction of highways, streets and bridges in California, including:

The opening of under-developed areas to economic opportunity, and

The provision of proper transportation to meet changing conditions.

A study to determine whether funds expended on construction and maintenance of the highway system have been equitably levied on property or business in relation to benefits or upon users in direct proportion to their use.

Information is needed on:

The annual cost of roads and streets, and the fair apportionment of these costs among the users thereof, and for that purpose data is needed on:

Total mileage of roads and streets;

Capital investment therein;

Total sum which should be collected annually to maintain, replace and modernize such roads and streets, and

The proper amount which should be paid annually by users of public thoroughfares to meet the annual cost of such roads and streets.

Information is also needed on:

The present status of the highway system;

Deficiencies therein as to present demands;

Schedule of improvements necessary for future demands;

Schedule of maintenance necessary to keep the capital investment up to standards,

Schedule of improvements necessary to develop areas that should be opened up;

Special problems relating to highways;

The financing and administration of the highway system, including

Alternate plans to those heretofore proposed for financing a highway construction program in order to reduce the burden of taxation on motorists for the next decade;

The interrelationship between the state and local governments and the state and federal governments in relation to this subject;

The control of highway traffic in interest of safety, taking into consideration present needs and future needs for a period of at least ten years.

In addition, the committee is specifically authorized and directed to study all facts relating to:

The cost of constructing, maintaining, and improving public highways, streets and bridges in the State;

The need and cost of bringing these facilities up to acceptable standards;

The cost of so maintaining them;

The need and cost of expanding the highway system to meet:

Travel demands;

Changing economic and industrial conditions;

Opening up of undeveloped areas;

The present and future use of the highway system;

The proper allocation of cost and burden of construction and maintenance in proportion to benefits to users and property as determined by engineering studies.

The committee is also authorized and directed to ascertain, study, and analyze all facts relative to the operation, effect, administration, enforcement, and needed revision of any and all laws relating to the subject of the resolution and report such to the Legislature, including the committee's recommendations for legislation.

An investigation to inquire into the proposed location of freeways would be clearly within the scope of this resolution."

Committee members are: Glenn M. Anderson, Chairman; Ernest R. Geddes, Vice Chairman; Sam L. Collins; Francis Dunn, Jr.; G. Delbert Morris. Secretary, Belle Mishkin.

The first meeting of the committee was held in the Assembly Office in Los Angeles on October 17, 1949, at which rules of procedure were adopted providing, among other things, that three members of the committee shall constitute a quorum; in the presence of a quorum, a majority may take action in any matter; the chairman shall have the authority to appoint subcommittees consisting of one or two members.

One of the general problems proposed for investigation was the accounting for rent income from real property purchased for rights of way for new highways and leased to tenants pending the commencement of construction of the new highway. This question was presented to Controller Thomas H. Kuchel, and in a letter dated January 10, 1950, he replied, in part:

> "The Legislature in 1939 took recognition of this problem and, in Section 104.6 of the Streets and Highways Code, authorized the Department of Public Works to lease such property, and provided for the deposit of the rent income in the State Highway Fund. Two or three years ago, some question arose as to the proper manner of handling these receipts in the budget of the Department of Public Works At our request, a conference was called at which were representatives of the Attorney General's office, the Department of Finance, the Division of Highways, and my office. Following a complete discussion of the entire problem, it was decided that a bill should be submitted to the 1949 Legislature authorizing such revenues to be used in counties, as a cost offset against the right-of-way acquisition, in the areas from which the rent was received. This legislation was adopted and became Chapter 123 of the 1949 Statutes, and reads as follows:
>
> > 'Section 104.65 is added to the Streets and Highways Code to read:
> >
> > 104.65 Income heretofore or hereafter received from rentals under Section 104.6 shall be credited to the budgetary item from which the property was acquired '
>
> The obvious purpose of such legislation is to prevent the use of rental income secured in one county from being expended in another county.
>
> Under the present law, the State makes no attempt to compensate agencies of local government for their loss of tax revenue while the real property is being used in this proprietary fashion. * * *
>
> During the last three completed fiscal years, rentals from highway property which have been deposited in the State Highway Fund, are as follows:

1948-49	$752,072.04
1947-48	952,339.66
1946-47	387,591.59"

On November 17, 1949, Assemblymen Glenn M. Anderson and Ernest R. Geddes, acting as a subcommittee, held a hearing in the County Board of Supervisors' Chambers in Ventura County Court House. This was done at the instigation of Assemblyman John B. Cooke, who requested that specific attention be given to the problems of State Highway 118, where it goes through Santa Susana Pass.

The meeting opened with a report from Mrs. Richard E. Eby, Chairman of the Citizens Committee of Pomona, and Vice President of the then newly formed Community Protective League of California. Mrs. Eby presented a brief giving the background of the Community Protective League of California, which is composed of representatives from the communities of Encinitas, Carlsbad, Pomona, Ontario, Santa Rosa, Santa Cruz, West Fresno, West Sacramento, Auburn, Livingston, Petaluma, Catate, Oceanside and Redding, and other groups throughout the State who, in her words, "object to the lack of consideration given by the Department of Public Works to the rights and wishes of citizens, and its manner of operating without due regard to protest or proper hearings." Mrs. Eby, on behalf of the league, offered to assume the task of briefing complaints from all groups within its organization, for presentation to this committee in a state-wide hearing, or in a series of hearings.

The meeting was then turned over to the chairmanship of Assemblyman Cooke.

Among those who spoke were Mr. Marion S. Walker, President of the Ventura Chamber of Commerce, who read a statement concerning traffic conditions on Highway 399, Star Route 138, citing the increase in traffic congestion over the past year and the need for relief, particularly in straightening curves and widening the route. Mr. Art Sherwood, also representing the Ventura Chamber of Commerce, supported Mr. Walker's statement.

Mr. Lawrence E. Olson, City Manager of Ventura, discussed putting in an alternate route on U. S. 399, Ventura to Ojai, along the levee.

Mr. Les Price, Chairman of the Board of Supervisors, stated that Ventura County had never received any funds from the $\frac{3}{8}$ cent allocation under the Collier-Burns Highway Act. Upon request by the chairman of this committee for an explanation from the State Controller, a letter dated January 10, 1950, was received from Mr. Kuchel, reading in part as follows:

> "The second subject about which you inquired was the report that Ventura County had not received any funds from the $\frac{3}{8}$ cent allocation under the Collier-Burns Highway Act. I am attaching a schedule showing the payments to that county from the $\frac{3}{8}$ cent portion of these taxes, from the inception of the Collier-Burns Highway Act to date. This does not include the payment to be made late this month. Ventura County has received $69,035.77 as its share of the $\frac{3}{8}$ cent money, in addition to $739,475.64 under other sections of the Collier-Burns Highway Act.
>
> Under the apportionment formula in the Collier-Burns Act there are 16 counties, of which Ventura is one, that do not share in the apportionment of funds under Section 2114 of the Streets and Highways Code, which is the major portion of the $\frac{3}{8}$ cent money. This is for the reason that in these 16 counties, the mileage in the county highway system is such that under the other apportionment sections in the Collier-Burns Highway Act, they receive at least $300 annually for each mile of highway in their county system."

Mr. Mark Cessna, District Engineer, reported that the Highway Division would make a study of the entire traffic situation around Ventura, and that within six months a complete report would be available.

Turning to the matter of Highway 118 over Santa Susana Pass, Mr. Jeske, Chairman of the Santa Susana Citizens' Committee, presented a preliminary statement concerning the many hazards to traffic on this road due to narrowness, sharp curves, blind corners, etc. The highway is heavily traveled by trucks going to oil fields and a great deal of produce from Simi Valley is hauled over it. There is real danger for a school bus which uses the road. Thirty-five thousand dollars had been allotted by the Highway Commission for taking out some of the curves

The committee inspected the proposed route along the levee on U. S. 399, and also drove over Santa Susana Pass, making an on-the-spot inspection of the curves and bridges under consideration. In the afternoon a hearing was held at Susana Knolls Park, attended by about 150 citizens, at which there was further discussion of the proposed program for widening bridges. Those designated to be widened were Brown Barranca, Mejico Creek, Happy Canyon, Top Canyon, Arroyo Simi and B Creek. About $70,000 was allocated for this purpose. Mrs. Riefstahl, Mrs. R. M. Wright, Jr., Mrs Harry Glover and other residents of Santa Susana indicated their desire to have the road improved, one of the reasons being the possibility of encouraging a public transportation system to operate a bus service over the Pass. It was pointed out, however, that lack of potential business and not the condition of the road was the factor involved.

On November 21, 1949, a hearing was held in El Monte City Hall, Assemblymen Anderson and Geddes constituting a subcommittee. At the request of Mr. Anderson, Mr. Geddes assumed chairmanship of the meeting, inasmuch as the subject of this meeting was a continuation of the problem presented to the 1947 Interim Committee, of which Assemblyman Geddes was chairman, wherein a very detailed presentation was made by the City of El Monte through the city engineer, city manager, chamber of commerce and other groups, all of which were unanimous in support of a plan to depress the length of the Ramona Freeway as it went through the major portion of the City of El Monte, putting the Pacific Electric tracks in the middle, allowing cross streets in downtown El Monte to cross at grade, in opposition to a plan for right of way and construction as proposed by the State. A point of controversy was the additional cost of construction, and how to get rid of water seeping into the open ditch.

The City of El Monte has made no change in its position, and until and unless a better solution can be found, it is standing on its original position. Meanwhile, city planning and business development is at a standstill.

Mr. Reese, Assistant District Engineer, stated the El Monte plan involved changing Pacific Electric tracks, for which the Division of Highways had no authority to allocate funds

It was agreed that this committee would recommend to the Division of Highways that further consideration be given to the problem, to the end that a compromise be reached whereby the project could go ahead.

In Pomona, the State proposed a right of way through the city which was originally accepted by the city council but since rescinded by that body. Action was undertaken by the Citizens Committee, which resulted in an initiative ordinance being passed, which gave permission to the city council to accept a proposal from the State for routing within

a certain specified area. Since that time the entire matter is stalemated, and the question arose as to whether an ordinance which is passed by initiative or by the Pomona City Council is a valid ordinance, as far as the construction of highways throughout the State is concerned. This matter was referred to the Legislative Counsel, who stated his opinion to be that such an ordinance can only be tested by court action.

Appearing at the meeting were Mrs. Eby, Mr. Howard, and Morris O'Connor, representing the Citizens Committee; also Mr. Harris and Mr. Marshall, citizens of Pomona.

The subcommittee recommended that the Highway Commission give a full hearing to the matter, with this committee sitting in on the discussion.*

On November 22, 1949, a meeting was held in the County Board of Supervisors' Chambers at Riverside. Present were Assemblymen Glenn M Anderson and Ernest R Geddes, constituting a subcommittee. Present also were members of the Riverside County Board of Supervisors—Mr. Gilmore, Chairman, and Supervisors Hill, Slape, Jones and Mayflower; also Assemblyman Babbage, Senator Dilworth, former Assemblyman Boyd, Howard Hayes, Chairman of Highway Committee of the Chamber of Commerce, Mr. Bordwell, President of the County Chamber of Commerce, and Mr Baxter, co-chairman of the City Chamber of Commerce; Mr. Gillis of the Controller's Office, and Mr. Keith of the Highway Division. General satisfaction was expressed with the working of the Collier-Burns Act

The freeway situation in the Pomona area is affecting through traffic from Riverside to metropolitan Los Angeles, and the people of that district are equally eager that the Pomona stalemate be overcome.

Following the meeting, the committee held a hearing on the case of Mr Bert Ballinger and Miss Marie Ballinger, who have a grievance because of what they consider discriminatory and unjust action on the part of the Division of Highways in connection with acquiring some property belonging to the Ballingers located in Rosemead It was Mr. Geddes' opinion that the committee could do nothing in this case unless the Ballingers were prepared to take legal action against the various members of the Division of Highways.

On January 18, 1950, a meeting was held in Sacramento, the purpose of which was to try to secure answers from the various state department offices to some of the questions brought to the attention of this committee. Members of the committee attending this meeting were Assemblymen Anderson, Geddes, and Dunn. Eighteen persons in all were present.

Mr. Floyd Clouse, Chief of the Division of Accounting in the State Controller's Office, explained at length the methods used in apportioning

* Since the above minutes were written and the manuscript for this report prepared for submission, the Pomona situation has been settled by agreement between the State Highway Commission and the City Council of the City of Pomona Pursuant to request made by the Pomona City Council, members of the Highway Commission and representative engineers appeared at a public meeting held in the high school of that city, and explained the proposed new routing, in which some consideration had been given to representations made previously, that there were not enough underpasses and overpasses of the proposed freeway The new plans showed several additional such structures to have been added The route proposed was approximately the same as that which had caused the efforts of the Citizens Committee to force the route in another direction as outlined in presentations of that organization before previous committees and before the State Highway Commission, and made the subject matter of a bill which failed to pass in the Senate at the 1949 Session

It is reported that although not all parties are happy with the final solution of the Pomona stalemate, that the matter is at an end and now the community is generally united in asking for rapid construction of the section of the Ramona Freeway involved.

gas funds to the counties under the 1-cent formula which has been in existence for many years, and under the new Collier-Burns formula. He compared the Counties of Ventura and Riverside, explaining why Ventura County did not share in the first distribution of the $\frac{3}{8}$-cent money, for the reason that, having only 604 miles of maintained county highway, at the rate of $300 per mile it already had received out of the 1-cent tax more than the arbitrary minimum. Fifteen other counties in the State are in this category. These are, generally speaking, metropolitan areas having comparatively low mileage and high motor vehicle registration.

Riverside County, on the other hand, has 2,622 miles of maintained county roads. Under the 1-cent money, plus the arbitrary minimum of $7,500, they received roughly $129,600. This is about $67,000 less than the amount they are entitled to on the basis of 2,622 miles at $300 per mile; consequently they share in the first distribution of the $\frac{3}{8}$-cent money.

Others who spoke were Mr. A. Alan Post, Legislative Auditor; W. E. Pringle, Deputy Legislative Counsel; Mr. E. R. Higgins, Controller, Department of Public Works; H. C. McCarty, Office Engineer, Department of Public Works.

At the request of Assemblyman Richard J Dolwig, a meeting was held in the City Hall in San Mateo on January 19, 1950. Members of the committee present were Assemblymen Anderson, Geddes, and Dunn, and at Mr. Anderson's request, Assemblyman Dolwig acted as chairman of the meeting.

Mr. Dolwig turned over to the committee resolutions adopted by the City Councils of Redwood City, Belmont, South San Francisco, Burlingame, San Mateo, and Millbrae, urging action to secure emergency funds for the extension of the Bayshore Freeway in San Mateo County

Those who appeared and spoke before the committee were: Daniel J. Creeden, Mayor of San Mateo; Francis Raymond, Chairman of the San Mateo Traffic Safety Commission; John Kemp, Councilman of San Carlos; Howard Brode, City Manager of San Carlos; Martin Dinkelspiel, commuter and resident of San Mateo County; Paul A. McCarthy, City Attorney of the City of Belmont; Alvin S Hatch, Acting Chairman of the Board of Supervisors; Thomas L. Hickey, South San Francisco; Supervisor Edward R. McDonald, Fifth District, Santa Clara County; Mrs. Bessie B. Hayes, Executive Secretary, San Mateo County Traffic Safety Commission; Paul Jones, Redwood City, delegated by American Legion Post 105 to attend meeting. (Mr. Jones also represents the Redwood City Planning Commission.) Glenn Jain, City Engineer, Redwood City; Arnold C. Johnson, Veterans of Foreign Wars, San Mateo; Mrs. H M Casey, President, Women's Club, San Mateo; Mrs. Elsa S. McGinn, San Mateo Planning Commission; Robert O'Brien, Chief of Police, San Mateo; Major Joseph G Bye, U S Army, Retired; Ernest Stelter, private citizen, member of E. Palo Alto Lions; V. W. Booker, District Engineer, District 4, Division of Highways.

The purpose of the meeting, as stated by Mr. Dolwig, was to assemble facts relative to Bayshore Freeway. At present time the freeway ends at the northern limits of South San Francisco and in San Mateo. Within that area it is a six-lane freeway. At terminus at both ends it narrows down into a four-lane highway, creating a bottleneck, increasing traffic accidents and causing difficulty in the flow of traffic. According to the Highway Department, the work at either end will not be completed until

1954-55 or some time later, and it is urgent that something be done to hasten completion of work—either by revising the Collier-Burns Act, or in some other manner obtaining emergency funds to complete the work.

The testimony emphasized freeway locations at Third Avenue in San Mateo, where traffic comes to a full stop, and the Brisbane intersection at the north end of San Mateo County as being points of extremely dangerous traffic congestion. An overpass or clover leaf at Third Avenue would help considerably.

RECOMMENDATION OF THE COMMITTEE

MR. SPEAKER: It is the recommendation of the majority of the members of this committee that the Division of Highways give further consideration to the proposals made by the City of El Monte, whereby the Ramona Freeway, in traversing that city, would do so in a depressed channel. We feel that this recommendation is important, since settlement of the routing controversy in Pomona leaves the El Monte situation one of the few remaining obstacles to the completion of plans for the routing of the Ramona Freeway.

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, CALIFORNIA, January 15, 1951

Hon. Sam L. Collins,
Speaker of the Assembly,
Sacramento, California.

MR. SPEAKER: Your Assembly Committee on Cemetery, Mausoleum, Crematorium and Similar Associations, created by House Resolution No. 258, herewith submits a report of its investigations and findings.

Respectfully submitted,

CLAYTON A. DILLS, Chairman
H. ALLEN SMITH, Vice Chairman
CARL FLETCHER, Member
WILLIAM BYRON RUMFORD, Member
CARLEY V. PORTER, Member

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON CEMETERY, MAUSOLEUM, CREMATORIUM AND SIMILAR ASSOCIATIONS

TEXT OF RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Interim Committee on Cemetery, Mausoleum, Crematorium and Similar Associations follows:

House Resolution No. 258

Relating to the creation of the Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations

WHEREAS, The Assembly has been informed that a need exists for new and additional legislation concerning the associations named in the title hereof; and

WHEREAS, Such organizations are quasi-public corporations and their activities affect the health, welfare and safety of the citizens of the State; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such organizations in order that it may intelligently legislate thereon, now, therefore, be it

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

1 The Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations is hereby created and authorized and directed to ascertain, study and analyze all facts and laws in any way bearing upon or relating to the subject of this resolution and the recitals thereof, including, but not limited to, the investment and management of perpetual care funds of such associations, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

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

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

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

5 The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

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

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

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

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

(f) To employ auditors and other technical and clerical assistance

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

Pursuant to the provisions of the resolution, the Speaker appointed as Chairman the Honorable Clayton A. Dills, and as members, the Honorable Carl Fletcher, Honorable William Byron Rumford, Honorable H. Allen Smith, and Honorable A. W. Way. On November 8, 1949, Assemblyman Way was elected to the Senate, and this vacancy was filled by the appointment of Honorable Carley V. Porter.

During the course of its inquiries, the committee confined its activities to a general investigation of the following:

1. Rules and Regulations and Memorials;
2. General Condition of Cemeteries;
3. "Endowment Care" instead of "Perpetual Care";
4. Increase of Minimum Deposit to Perpetual Care Fund;
5. Inviolable and Irreducible Nature of Funds;
6. Types of Investments;
7. Misuse of "Perpetual Care" Funds;
8. Documents Furnished Purchaser;
9. New State Cemetery Board.

The committee also sent out a comprehensive questionnaire consisting of 39 questions covering the subject of perpetual care to some 800 cemeteries, mausoleums, and crematories. There were 347 responses Approximately 250 questionnaires were returned marked, "No such

address" or "Address unknown," and the balance of approximately 203 did not answer at all. The committee concluded that these were small cemeteries or family burial grounds used by the early settlers of which there are no records of burials or location maps, nor are any trust funds set up for maintaining care of them. There are between 125 and 150 privately-owned cemeteries that come under the regulatory provisions of the Health and Safety Code and under the jurisdiction of the State Cemetery Board set up by the 1949 Legislature. There are some 200 publicly-owned cemeteries owned either by the various cities, counties or public cemetery districts.

As a result of our hearings, and our questionnaire, the following conclusions were arrived at:

(1) Rules and Regulations and Memorials

The various chapters of the Health and Safety Code, each providing a system of regulation for a particular profession or business, are well drafted.

Division VIII of the Health and Safety Code covers generally the rules and regulations of cemeteries, mausoleums and columbariums.

Sections 8300 and 8302 of the Health and Safety Code authorize a cemetery corporation to make, adopt, amend, add to, revise, or modify and enforce its own rules and regulations for the use, care, control, management, restriction, and protection of all or any part of its cemetery; also, it may regulate the uniformity, class, kind of all markers, monuments and other structures within the cemetery and its subdivisions. By case law these rules must be reasonable and uniformly applied.

The power to make rules and regulations is in line with each particular profession or business regulated under the Health and Safety Code and the Business and Professions Code. Each one has many detailed regulations encompassing the entire field of professional or business activity of the particular group.

We find that there is a conflict between cemetery organizations and monument men. The problem primarily arises from the fact that the modern trend is to have cemetery areas with tablets or memorials flat with the lawn rather than the old type of large monuments. This is a problem that cannot be solved by legislation because it is purely economic. It is up to each interment property to adopt and enforce equitably its own rules and regulations as provided under the present statutes.

Changes have occurred in styles of memorialization. The flat marker plan is fast replacing the old style monuments. The real conflict between cemeteries and monument men is based upon the change in styles of memorialization. Certain complaints were made by the monument men with reference to a few of the cemeteries, but we believe that the answer to these complaints does not lie in further legislation, and accordingly, this committee has no legislation to recommend on this problem.

(2) General Condition of Cemeteries

The provisions of Section 8736 of the Health and Safety Code state that the perpetual care fund and all payments or contributions to it are thereby expressly permitted as and for charitable and eleemosynary purposes Perpetual care is a provision for the discharge of a duty due from the persons contributing to the persons interred and to be interred in the cemetery, and a provision for the benefit and protection of the public by

preserving and keeping cemeteries from becoming unkept and places of reproach and desolation in the communities in which they are situated.

With reference to complaints received during the interim, and by the Public Health Committee during the 1949 Session of the Legislature, in regard to the unkept and unsightly conditions in various cemeteries, the committee visited those cemeteries mentioned in the complaints—also many others not mentioned—and made note of their condition.

Because of the lack of time and funds, the committee was compelled to make a spot check. There was cause for complaint about many of the cemeteries, especially those of 10 acres or less. Many were very unsightly and unkept. Some were in a deplorable condition, having fallen markers and monuments, broken fences, walks and graves covered with weeds, and half-burned wooden markers. Other bad conditions, such as the lack of a burial list for identification and no maps showing the location of graves, were evident. Such conditions in these old nonprofit small graveyards have come about by the failure to set up an adequate trust fund and the lack of income because they seldom make an interment. They have made no pretense to the public that they are giving care. These small graveyards are now infrequently used. Only an occasional burial is made. They are largely historical when compared under modern operation. In the country areas they have been or are being taken over by public cemetery districts and are tax supported.

The larger cemeteries, which handle the overwhelming bulk of interments in populated areas, were in very good condition Those that had adopted the memorial park idea of park-like lawns, walks, and driveways, were a place of beauty and culture and a credit to the cemetery business.

(3) "Endowment Care" Instead of "Perpetual Care"

There was considerable discussion about the use of the term "perpetual care " We believe that the term "perpetual care" is not sufficiently descriptive and that it should be mandatory to use the term "endowment care" as provided in the act setting up the State Cemetery Board, adopted in 1949.

An "endowment care" fund is a trust fund composed of the deposits made by the purchasers of memorial property into said fund and is not a part of the purchase price. The fund, as a trust fund, by the very nature of things, cannot be perpetual. Through inflation and increasing costs of maintenance, with a possibility of loss of principal through poor investments the term "endowment care" is more descriptive. The word "perpetual" conveys the idea that the cemetery will be maintained and cared for forever Every thinking person knows there is no such thing as perpetuity The public would be more truthfully informed if the word "endowment" were used. We find that this is the thinking in other states

It is our recommendation that the law be changed so that throughout both the Business and Professions Code and the Health and Safety Code the word "endowment" would be substituted for the word "perpetual " Properties that do not live up to the "endowment care" standards should be labeled "non-care cemeteries."

(4) Increase of Minimum Deposit to Care Fund

Under the present law the minimum amounts required to be set up in the care fund are as follows

> "A perpetual care cemetery is one which shall hereafter deposit in its perpetual care fund out of the initial sale not less than the following amounts for plots sold or disposed of:
>
> (a) Twenty-five cents a square foot for each grave;
>
> (b) Five dollars for each niche;
>
> (c) Fifteen dollars for each crypt; provided, however, that in the event there shall be located upon any one property or contiguous properties, a mausoleum or mausoleums containing in the aggregate six thousand crypts under the actual ownership of one cemetery authority; and provided also, that there shall have been deposited in said perpetual care fund mentioned in this code, a sum equal to ten dollars from the initial sale or disposal of each crypt theretofore sold or disposed of, including perpetual care funds accumulated prior to the passage of this code, then and thereafter such perpetual care cemetery shall be required to deposit in the perpetual care fund mentioned in this code, not less than the sum of ten dollars for each crypt thereafter sold or disposed of" (Sec. 8738, H. & S. C.)

This section was adopted in 1939.

After studying the answers received from the cemeteries on this same question, it was found that approximately 26 percent were charging the minimum of 25 cents per square foot while 74 percent were charging from 35 cents to $2.25 per square foot.

The cemeteries using a percentage basis charged from a minimum of 10 percent of the cost of the graves or plots to a maximum of 70 percent (which is required by law where alleyways in old cemeteries are abandoned and replatted into graves).

Those cemeteries answering the question as to the amount charged and set aside for crypts and niches had prices ranging from a specific amount of $5 to $15 per niche or, on a percentage basis, ranging from a minimum of 5 percent to a maximum of 33⅓ percent. Their charges on crypts ranged from $15 to $75.

In answer to the question, "Should the minimum amounts required by law be increased?", approximately 48 percent favored an increase, 30 percent against an increase and 22 percent of no opinion

In reviewing the reasons for increased amounts, the committee observed that the income derived from the "perpetual care" fund was inadequate to provide proper care for many of the cemeteries. Because of increased operational costs, as well as lower interest rates, the minimum amount today should be doubled except for niches which is now proportionately high, and we so recommend .

We further believe that the State Cemetery Board should make a careful study of cemetery costs and should recommend to successive legislatures any further changes to keep these minimum requirements in line with inflational developments.

One of the great dangers to the public is to start a new interment property without adequate provision for "endowment care." If the project should fail in the early years, the use to which the land is put cannot be changed. The result is an uncared for weed patch because

there cannot, under the present minimum requirements, be enough principal to provide for care For example, a small mausoleum with 250 crypts would mean a fund of only $3,750 with an annual income of less than $200. This is not enough to employ hardly any help. The solution for the future is to require new cemetery projects to make an initial deposit of $25,000 in the care fund. In this way plot purchasers will be protected and the community in turn will not suffer the ill-fated results of an unkept bankrupt cemetery.

(5) Inviolable and Irreducible Nature of Funds

Information received by the committee disclosed that in the past Section 8726 of the Health and Safety Code had been violated and there were reasons to believe that at the present time this section of the code was still being violated. Section 8726 states that the principal of all funds for "perpetual care" shall forever remain irreducible and inviolable and shall be maintained separate and distinct from all other funds.

In examination of the answers to Question No. 38 of the questionnaire, "Between September 19, 1939, and September 1, 1949, has the principal of the perpetual care fund ever at any time been reduced? If so, what was the cause for the reduction? Has it been replaced? If so, how?", it was noted that a few funds had been reduced within the past 10 years. The cause for the reduction may well have been due to an unfortunate but not necessarily improper investment. There is no provision under the code for replacement of perpetual care fund losses, therefor no replacement was made.

In order to create a reserve from which principal losses may be replaced, it is our recommendation that the law be amended making a specific provision to permit those serving as custodians of the "endowment care" funds to set aside a reasonable percentage of the income from invested funds. Even United States Government bonds might be bought and later sold under circumstances where the proceeds would be less than the amortized book value. In the absence of any provision permitting the trustees to create and maintain such a reserve the eventual shrinking of the principal funds cannot be avoided. It is axiomatic that capital gains cannot be expected without accepting the risk of capital losses. As indicated above, capital losses may be suffered on investments made solely for the purpose of producing income.

(6) Types of Investments

In considering the types of investments allowed under the code, the committee made a thorough study of Section 8751 of the Health and Safety Code which authorizes the following investments:

(a) Bonds of the United States or this State, or of any county, city and county, or city in this State;

(b) Bonds legal for investment for savings banks in this State;

(c) First mortgages or first trust deeds on improved real estate;

(d) Income producing improved real estate in any city or city and county in this State;

(e) Investment certificates in any building and loan association organized, existing and doing business under the laws of this State;

(f) Investments of the type enumerated for domestic incorporated insurers in Article 3, Chapter 2, Part 2, of Division 1 of the Insurance Code of this State;

(g) By deposit in a bank which is insured by the Federal Deposit Insurance Corporation;

(h) Shares of a duly chartered and insured Federal Savings and Loan Association.

In comparing the answers received as to the types of investments made by the organizations within the provisions of Section 8751, it was observed that better than 98 percent of the cemetery organizations were within the law and the types of investments made were well secured.

It was also observed that in virtually all cases the disposition of the income earned from these investments and the reinvestment of the principal of the funds was satisfactory and well within the provisions of Section 8727 which provides that the principal of all funds for perpetual care shall be invested from time to time, reinvested, and kept invested and the income earned shall be used solely for the general care, maintenance and embellishment of the cemetery, and shall be applied in such manner as the cemetery authority may from time to time determine to be for the best interest of the cemetery.

We have also concluded that the limitations in Section 8751 of the Health and Safety Code, specifying the type of investments for "endowment care" funds, work a hardship on cemeteries and those that invest their trust funds. Cemetery trust funds are different from almost any other type of trust. They need not be liquid for the principal is never needed, such as in a bank or insurance company. What is required is a safe, long-term investment with a good investment return. Income and the increase in value is what is necessary, for this is used for the maintenance of the sold areas of the cemetery. In order to better ride through any inflationary period the opportunity should be presented to these trustees to make different investments.

The Legislature in 1943 recognized the problem and as to trusts and trust funds generally adopted the "prudent man rule." This rule for the manner of investment of trust funds is set forth in Section 2261 of the California Civil Code.

We believe that cemetery trustees, even more than other trustees, should be permitted a latitude of investment, under state law, so as to protect that principal of the fund from depletion through inflation. Economists predict another period of continued inflation and we believe that now is the time to change the law and make the "prudent man rule" apply not only to bank and other trusts but to cemetery trust funds as well. We recommend this change, now that the State Cemetery Board is set up to properly supervise investments.

(7) Misuse of "Perpetual Care" Funds

The committee took particular cognizance of the charges involving the misuse of "perpetual care" funds, which is in violation of Section 8360 of the Health and Safety Code. Section 8360 provides that no director or officer of any cemetery authority shall directly or indirectly, for himself or as the partner or agent of others, borrow any funds of the corporation or association, nor may he become an indorser or surety for loans to others, nor in any manner be an obligor for money borrowed of or loaned by the corporation or association, nor shall a corporation of which a director or an officer is a stockholder, or in which either of them is in any manner interested, borrow any of the funds of the corporation or association.

After careful examination of the statements of the "perpetual care" funds furnished by the cemeteries, it was noted that such activities are confined to but one or two.

At public hearings, the committee found that every single association present openly and forcefully expressed its opposition and condemnation of such practices However, in the past, the lack of enforcement powers—other than the right to expel from association membership—has encouraged this practice. In the future, the State Cemetery Board will supervise and guard against any law violations.

(8) Documents Furnished Purchaser—Posting of Maps, Signs, Filing of Written Report

In the questionnaire, the committee asked for a copy of the types of documents delivered to a purchaser of interment property. In response to this question many types of documents were received, such as the agreement of sale, sales contract, contract for purchase and sale of property, interment order, sales receipt, certificate of ownership and perpetual care and the deed of property.

These documents were well drawn and binding on both the purchaser and the seller, subject to change as provided by the rules and regulations adopted by the cemetery authority.

In regard to the posting of maps, Section 8550, Article 3 of the Health and Safety Code provides that every cemetery authority, from time to time as its property may be required for interment purposes, shall:

(a) In case of land, survey and subdivide it into sections, blocks, plots, avenues, walks or other subdivisions; make a good and substantial map or plat showing the sections, plots, avenues, walks or other subdivisions, with descriptive names or numbers;

(b) In case of a mausoleum, or crematory and columbarium, it shall make a good and substantial map or plat on which shall be delineated the sections, halls, rooms, corridors, elevations, and other divisions, with descriptive names or numbers.

In addition to the small cemeteries which were found to be lax in the posting of maps showing the location of interments, a few of the larger cemeteries, which are subject to the provisions of Section 8550, were in violation of said section.

Violation of Section 8741 was evident in a very small minority of the cemeteries contacted by members of the committee. This section provides that each "perpetual care" cemetery shall post in a conspicuous place in the office or offices where sales are conducted and in a conspicuous place at or near the entrance of the cemetery or its administration building and readily accessible to the public, a legible sign which shall contain the following information in the order and manner set forth below:

(a) A heading containing the words "perpetual care"—which shall appear in a minimum of 48-point black type;

(b) This is a "perpetual care" interment property;

(c) Names of officers and directors of the cemetery authority and persons entrusted with the investment of the "perpetual care" fund.

In some cases, signs were not posted or accessible to the public containing the words "perpetual care." In others, the names of officers and directors of the cemetery authority or persons entrusted with the investment of the "perpetual care" fund were not accessible to the public at the office of the cemetery. It might be explained that the few violations of this section were in small properties and no longer very active.

Further investigation showed that the lists of names were in possession of either a director of the cemetery authority or a trustee of the "perpetual care" fund at an address other than the cemetery office.

The failure to file a written report in the office of the cemetery, in compliance with Section 8742, was noted in a few of the cemeteries. Section 8742 provides that each "perpetual care" cemetery shall file in its office a written report which shall contain:

(a) Amount of principal of the "perpetual care" fund;

(b) Total amount invested in bonds, securities or other investments authorized by law and the total amount of cash on hand not invested which shall actually show the financial condition of the trust;

(c) Number of square feet of grave space and number of crypts and niches under perpetual care, prior to and subsequent to the enactment of this section, each separately set forth.

These written reports were also found in the possession of a member or director of the cemetery corporation or a trustee of the "perpetual care" fund at an address other than the office of the cemetery. Here again, the exceptions were small, relatively inactive cemeteries.

For the future, the State Cemetery Board has the obligation to enforce the provisions above quoted.

(9) New State Cemetery Board

Since House Resolution No. 258 was adopted, the legislation setting up the State Cemetery Board has become effective. The board has been set up and has been functioning for some time. Opinions voiced during hearings held by the committee made it apparent that the creation of the Cemetery Board was a satisfactory solution for the enforcement of the law as provided under Division 8 of the Health and Safety Code.

The board has employed an executive secretary who is also a certified public accountant. As fast as time will permit, a complete analysis is being made of the investments of all the cemeteries that come under the provisions of the act. This board is starting out to do an exceptionally fine job. The appointees are conscientious. Thus, we believe that there is no need at this time for further legislation regulating cemeteries.

In order to assist the State Cemetery Board in its work, we have turned over our files to it. When the recommendations herein made are implemented by legislation, we feel that the obligations and duties of the committee have been met and fulfilled.

Respectfully submitted,

CLAYTON A. DILLS, Chairman
H. ALLEN SMITH, Vice Chairman
CARL FLETCHER
WILLIAM BYRON RUMFORD
CARLEY V. PORTER

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Japanese Congressional Agricultural Mission, including the following members of the House of Representatives: Kotaro Mori, Minoru Sakamoto, Tokuro Adachi, Raizo Matsuno, Kazumi Kobayashi, Ryoji Inoue, and Kazuo Ichihashi; House of Councillors, including: Kazuo Kitamura, Soji Okada, Yoshio Kusumi, Hajime Miyoshi, and Mikitaro Matsuno; and Lieut.-Col Elwood F. Saxer; Herbert Dalton, Watsonville; Garrett Rollofs, U. S. Department of Agriculture; and Mark B Williamson of Tokyo.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Paul J. Hudner and Jacob M Leonard, former Assemblymen, of Hollister.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Ray Kemper of San Bernardino.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R E. Little of Oakland, and Mr. Glenn Drake of Yreka.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Voy McMath of Modesto.

ADJOURNMENT

At 3.03 p.m., on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 11 a.m , Tuesday, January 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 16, 1951

The Assembly met at 11 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Father of All, Who art Wisdom, and Beauty, and Goodness, whose Spirit ever strives in the souls of men, grant to us the gift of Thy presence. May we be reminded of Thee by the beauty of this day. Create in us, O God, a clean heart and renew a willing spirit within us.

"Spirit of God, descend upon my heart;
Wean it from earth; through all its pulses move;
Stoop to my weakness, mighty as Thou art,
And make me love Thee as I ought to love."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Berry, on motion of Mr. Parker.
Mr. Cooke, on motion of Mr. Parker.
Mr. McFall, by unanimous consent.

NAMES OF MEMBERS OF COMMITTEE ON RULES ADDED TO MORNING ROLL CALL BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered the names of the following members of the Committee on Rules placed upon the morning roll call: Messrs. Crowley, Dickey, Dolwig, Dunn, Geddes, Lyon, Maloney, McMillan, Waters, and Condon.

NAMES OF MEMBERS OF COMMITTEE TO STUDY ANTICROSS-FILING INITIATIVE MEASURE ADDED TO MORNING ROLL CALL BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered the names of the following members of the Special Joint Committee to Study the Anticross-filing Initiative Measure, now holding a meeting, placed upon the morning roll call: Messrs. Hinckley, McCollister, Hollibaugh, Stanley, Doyle, Dills, and Thomas.

COMMITTEE APPOINTMENTS ANNOUNCED

Speaker Sam L. Collins announced the appointment of Mr. Clarke, vice Mr. Crichton, resigned; and Mr. Dills, vice Mr. Thompson, resigned; to membership on the Joint Interim Committee on Interstate Cooperation.

Speaker Sam L. Collins announced the appointment of Mr. Kirkwood to membership on the Joint Interim Committee on Water Problems, vice Mr. Weber, resigned.

Speaker Sam L. Collins announced the appointment of himself to membership on the Joint Interim Committee on Agriculture and Livestock Problems, vice Mr. Hoffman, resigned.

COMMUNICATIONS

By the Chief Clerk:

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

Letter of Transmittal

CALIFORNIA STATE PERSONNEL BOARD
SACRAMENTO, January 15, 1951

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

DEAR MR. OHNIMUS: Attached are 81 copies of the State Personnel Board's Report to the Governor and the Legislature. Please distribute to the Members of the Assembly.

Very truly yours,

JOHN F. FISHER, Executive Officer

(Enclosures)

Above transmitted copies of report ordered distributed to the Members of the Assembly.

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 15, 1951

RE: Senate Concurrent Resolution No. 6, 1950 Regular Session

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

DEAR MR. OHNIMUS. On January 12, 1951, I forwarded to you one copy of the report prepared by the Division of Highways in cooperation with the U. S. Bureau of Public Roads, relative to the feasibility of constructing an expressway between Los Angeles and San Francisco to be financed by the issuance of revenue bonds to be paid by the collection of tolls for use of the highway.

Forwarded herewith are five additional copies of this report.

Very truly yours,

C. H. PURCELL, Director of Public Works

(Enclosures)

Above transmitted five copies of report ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Sam L. Collins:

A communication from Sue Amack, D.C., of Pomona, relative to expressing opposition to a certain proposed pension plan, was received, and ordered referred to the Committee on Social Welfare.

By Speaker Sam L. Collins:

A communication from Sam S. Shapira of Los Angeles, relative to pension plans, was received, and ordered referred to the Committee on Social Welfare

By Speaker Sam L. Collins:

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

ROLLIN L. MCNITT, ATTORNEY AT LAW
824 OCCIDENTAL LIFE BUILDING, 1151 SOUTH BROADWAY
LOS ANGELES, CALIFORNIA, January 15, 1951

AIR MAIL SPECIAL DELIVERY

Hon. Sam L. Collins
Speaker, State Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: The writer represents ELDON JAMES MARKWORT, who was a candidate on both the Democratic and Republican ballots at the June, 1950 Primary Election, for the office of Member of the State Assembly, 64th District Patrick D. McGee received the highest number of votes on both tickets. Mr. Markwort thereafter filed a *CANDIDATE'S CONTEST*, under the provisions of Sections 8600, et seq., of the Elections Code, the basis of the contest was that said Patrick D. McGee was and would be ineligible for the office of Member of the Assembly in the State of California, in that he was not a citizen and inhabitant of the State of California three years next before November 7, 1950, as required by Article IV, Section 4, of the Constitution of the State of California This matter was filed in the Superior Court of the State of California, appealed to the District Court of Appeal, and recently transferred to and heard in the Supreme Court of the State of California.

On January 10, 1951, the Supreme Court of the State of California, in a written opinion filed on that date, held that the Legislature was the exclusive judge "of the qualifications, elections, and returns of its members" under Article IV, Section 7, of the California Constitution. The Supreme Court also held that the Courts of this State were without jurisdiction even to determine a Candidate's Contest at a primary election, so far as a candidate for membership in the State Assembly is concerned.

Accordingly, on behalf of Eldon James Markwort, there is filed herewith a copy of the Affidavit of Contest, as it was originally filed in the Superior Court of the State of California, in and for the County of Los Angeles,

Page 2,

on June 27, 1950. You are asked to consider this AFFIDAVIT OF CONTEST as a basis of a contest before the Legislature of the eligibility of PATRICK D. McGEE as a member of the Legislature from the 54th Assembly District.

Your attention is particularly called to Paragraph VI of the Affidavit of Contest, wherein the grounds of contest are stated, as have been stated hereinabove, and which are hereby repeated, as follows:

> "That ELDON JAMES MARKWORT, Contestant, contests the nomination of said PATRICK D McGEE, Contestee, on both the Democratic and Republican tickets at said Primary Election and, for ground of contest, avers that said McGEE was and is still ineligible to the office of Member of Assembly in the State of California, in that he has not and will not have been a citizen and inhabitant of the State of California three years next before November 7, 1950, as required by Art IV., Sec. 4, of the Constitution of the State of California

I respectfully urge, on behalf of Mr. Markwort, that you refer this matter to the appropriate committee of the legislature, and that appropriate proceedings be initiated to determine the eligibility of PATRICK D. McGEE to be a member of the legislature.

We will provide the evidence which we believe shows that Mr. McGee did not become a bona fide resident of the State of California prior to March 10, 1948.

Respectfully yours

ROLLIN L. McNITT

RLM VM

Above transmitted affidavit ordered referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 38

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 38—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 18, of the printed bill, after the period, insert "None of the money appropriated by this act shall be available for expenditure to pay retroactive salary increases to any state officers or employees who have been separated from state service prior to January 1, 1951, except officers and employees who have been separated by retirement, officers and employees who have been separated by resignation for the purpose of entering the service of the Armed Forces of the United States or of this State, and officers and employees on military leave."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 986: By Mr. Waters—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary line streets and highways and vehicles using the same.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 987: By Mr. Maloney—An act to add Section 212 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, in respect to standards for public medical institutions.

Referred to Committee on Public Health.

Assembly Bill No. 988: By Mr. Maloney—An act making an appropriation for support of the Department of Social Welfare.

Referred to Committee on Ways and Means.

Assembly Bill No. 989: By Mr. Levering—An act to prohibit the picketing of residences.

Referred to Committee on Industrial Relations.

Assembly Bill No. 990: By Mr. Levering—An act to add Section 10494.6 to the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 991: By Mr. Levering—An act to amend Section 10494.5 of the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 992: By Mr. Levering—An act to amend Sections 450 and 451 of, and to add Section 452.1 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 993: By Mr. Levering—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 994: By Messrs. Grant, Porter, Rosenthal, Levering, Burke, and Smith—An act for the organization and establishment of municipal courts in counties of the first class.

Referred to Committee on Judiciary.

Assembly Bill No. 995: By Messrs. Grant, Rosenthal, Levering, Porter, Burke, and Smith—An act for the organization and establishment of municipal courts in counties of the first class.

Referred to Committee on Judiciary.

Assembly Bill No. 996: By Messrs. Grant, Porter, Rosenthal, Levering, Burke, and Smith—An act providing for the organization of municipal courts in counties or cities and counties of the first class

Referred to Committee on Judiciary.

Assembly Bill No. 997: By Messrs Grant, Rosenthal, Levering, Smith, and Burke—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts

Referred to Committee on Judiciary.

Assembly Bill No. 998: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 999: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 10 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1000: By Messrs. Grant, Porter, Rosenthal, Levering, Burke, and Smith—An act to amend Section 13 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1001: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 25 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1002: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 34 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1003: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1004: By Messrs. Grant, Klocksiem, Porter, Rosenthal, Dills, Rumford, and Thomas—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Referred to Committee on Education.

Assembly Bill No. 1005: By Messrs. Grant, Chapel, Butters, Caldecott, Erwin, Grunsky, Gubser, Kelly, Kirkwood, Lincoln, Lindsay, Maloney, and Silliman—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1006: By Mr. Grant—An act to amend Section 665 of, and to add Section 666 to, the Vehicle Code, relating to the inspection of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1007: By Mr. Luckel—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1008: By Mr. Luckel—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1009: By Mr. Luckel—An act to amend Section 179 of the Vehicle Code, relating to the transfer and renewal of licenses for vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1010: By Mr. Luckel—An act to amend Section 248 of the Vehicle Code, relating to automobile wreckers.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 1011: By Mr. Luckel—An act to amend Section 380 of the Vehicle Code, relating to fees to be paid for transfer of title or interest in a vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1012: By Mr. Luckel—An act to amend Section 383.1 of the Vehicle Code, relating to refunds of registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1013: By Mr. Luckel—An act to add Section 210.1 to the Vehicle Code, relating to registration on nonresident vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1014: By Mr. Luckel—An act to amend Section 320 of the Vehicle Code, relating to records.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1015: By Mr. Luckel—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1016: By Mr. Luckel—An act to add Sections 261.1 and 744.1 to the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1017: By Mr. Stewart—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the state archives and the State Record Depository.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1018: By Mr. Sam L. Collins—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1019: By Mr. Porter—An act to direct the establishment of a judicial district consisting of the City of Compton and certain area contiguous to said city, providing for the number of judges, clerks, and attaches therefor and setting their compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 1020: By Mr. Tomlinson—An act to amend Sections 667.1 and 960 of the Welfare and Institutions Code, and to add Section 961 of said code, all relating to the establishment and maintenance of public schools

Referred to Committee on Education.

Assembly Bill No. 1021: By Mr. Tomlinson—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1022: By Mr. Coats—An act to amend Section 72 of the Public Utilities Act and Section 2101 of the Public Utilities Code, relating to enforcement of provisions of the Constitution and statutes of the State affecting public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1023: By Mr. Coats—An act to amend Sections 1300.8 and 1300.9 of the Agricultural Code, relating to processors of farm products.

Referred to Committee on Agriculture.

Assembly Bill No. 1024: By Messrs. Fleury and Moss—An act to amend Sections 31521 and 31595 of the Government Code, relating to county retirement systems

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1025: By Mr. Hawkins—An act to add Section 19334 to the Government Code, relating to leaves of absence for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1026: By Mr. Hawkins—An act to amend Section 16257 of the Education Code, relating to transportation of school pupils.

Referred to Committee on Education.

Assembly Bill No. 1027: By Mr. Hawkins—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies

Referred to Committee on Industrial Relations.

Assembly Bill No. 1028: By Mr. Lindsay—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas

Referred to Committee on Fish and Game

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.15 a.m., Mr Caldecott asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Civil Service and State Personnel in the Cloak Room, at 11.16 a m. Subject: Assembly Bill No. 687

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 832

Mr. Smith asked for, and was granted, unanimous consent that Assembly Bill No. 832 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Public Health

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

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

Assembly Bill No. 1029: By Messrs. Rosenthal, Munnell, and Brown—An act to amend Section 3024 of the Penal Code, relating to term of imprisonment.

Referred to Committee on Judiciary.

Assembly Bill No. 1030: By Mr. Burke—An act to amend Sections 5750.5 and 5708 of the Welfare and Institutions Code, relating to records of patients in private mental institutions.

Referred to Committee on Public Health.

Assembly Bill No. 1031: By Mr. Lipscomb—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1032: By Mr. Lipscomb—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Referred to Committee on Public Health.

Assembly Bill No. 1033: By Mr. Lipscomb—An act to amend Sections 17090 and 17091 of, and to add Section 17096 to, the Government Code, and to amend Section 141 of the Welfare and Institutions Code, relating to the issuance of duplicate warrants by the State Controller.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1034: By Mr. Lipscomb—An act to amend Section 9545 of the Business and Professions Code, relating to the expiration of license.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1035: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths, and marriages.

Referred to Committee on Public Health

Assembly Bill No. 1036: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration.

Referred to Committee on Public Health.

Assembly Bill No. 1037: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages

Referred to Committee on Public Health

Assembly Bill No. 1038: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to repeal Section 7413, to amend Section 7405, and to add Section 7413 to the Health and Safety Code, relating to burial permits.

Referred to Committee on Public Health.

Assembly Bill No. 1039: By Mr. Connolly—An act to repeal Section 955.5 of the Fish and Game Code, relating to the use of trawl nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1040: By Mr. Connolly—An act to repeal Section 954 of the Fish and Game Code, relating to the use of trawls and dragnets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1041: By Mr. Connolly—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1042: By Mr. Connolly—An act to amend Section 725 of the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game

Assembly Bill No. 1043: By Messrs. McGee and Brown—An act to add Section 1193 3 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1044: By Messrs. McGee and Brown—An act to add Section 1203 2 to the Code of Civil Procedure, relating to affidavits of posting.

Referred to Committee on Judiciary.

Assembly Bill No. 1045: By Messrs. McGee and Brown—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1046: By Messrs McGee and Brown—An act to add Section 1195.2 to the Code of Civil Procedure, relating to the time of completion of works of improvement.

Referred to Committee on Judiciary.

Assembly Bill No. 1047: By Messrs McGee and Brown—An act to add Section 1188.3 to the Code of Civil Procedure, relating to the time of commencement of works of improvement.

Referred to Committee on Judiciary.

Assembly Bill No. 1048: By Messrs. McGee and Brown—An act to add Section 1188.4 to the Code of Civil Procedure, relating to the time of commencement of works of improvement.

Referred to Committee on Judiciary.

Assembly Bill No. 1049: By Messrs. McGee and Brown—An act to add Section 1193.2 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1050: By Messrs. McGee and Brown—An act to add Section 1190.2 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1051: By Messrs. McGee and Brown—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186 1, 1187.1, 1188.1, and 1189 1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194 1, and 1195 1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1, 1200, 1200.1, 1201.1, and 1202.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Section 1208.1 to said code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198,

1199, 1201, 1202, and 1203 of said code; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1052: By Messrs McGee and Brown—An act to amend Section 11616 of the Business and Professions Code, relating to the dedication of streets, and the abandonment of an offer of dedication of said streets.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 14: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1053: By Mr. Parker—An act to add Section 2419.7 to the Labor Code, relating to sanitary conditions on construction sites.

Referred to Committee on Public Health.

Assembly Bill No. 1054: By Mr. Silliman—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1055: By Messrs. Moss and Fleury—An act to amend Section 18954 of the Government Code.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1056: By Messrs Moss, Fleury, and Erwin—An act to add Section 18021.5 to the Government Code, relating to overtime for state employees

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1057: By Messrs Moss and Fleury—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1058: By Messrs Moss and Fleury—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1059: By Messrs. Moss, Fleury, and Lindsay—An act to establish a Capitol Planning Commission, prescribing its organization, powers and duties, transferring to the commission certain functions of the Department of Finance, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1060: By Messrs. Moss, Lindsay, Hansen, Hagen, Cloyed, Condon, and Fleury—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds, and granting the right of eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1061: By Messrs Moss, Lindsay, Hansen, Hagen, Cloyed, Condon, Fleury, Lincoln, and Stanley—An act to add Part 10, comprising Sections 15700 to 15726, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing counties, cities, districts, and other public agencies to enter into contracts to lease; and authorizing and regulating the issuance of revenue bonds by the authority and providing for the payment of the bonds, and the rights of the holders of the bonds; and granting the right of eminent domain, and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1062: By Mrs. Niehouse—An act to amend Sections 1801, 1802, and 1803 of the Education Code, relating to election of school trustees

Referred to Committee on Education

Assembly Bill No. 1063: By Mr. McCarthy—An act to add Section 7032 to Chapter 9, Division 3 of the Business and Professions Code, relating to the regulation of contractors

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1064: By Mr McCarthy—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1065: By Messrs. Chapel, Rosenthal, Porter, McGee, Lipscomb, and Smith—An act to amend Section 7693 of the Business and Professions Code, relating to advertising by funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 1066: By Mr. George D. Collins—An act to add Section 349.5 to the Code of Civil Procedure, relating to actions against governmental agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 1067: By Mr. McCarthy—An act to amend Sections 9750, 9751, and 9757 of the Elections Code, relating to elections in fifth and sixth class cities.

Referred to Committee on Elections and Reapportionment.

RESOLUTIONS

The following resolution was offered:

By Messrs. Kilpatrick, Burke, Hagen, Meyers, and Mrs. Niehouse:

House Resolution No. 42

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Correction

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) and its members and for any charges, expenses or claims incurred under said resolution or under House Resolution No. 297, 1949 Regular Session, or House Resolution No. 28, 1951 Regular Session, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer; and be it further

Resolved, That in addition to any other subjects which the committee may investigate or report upon, it may also investigate and report upon the use, acquisition, possession, sale or importation of narcotics and other habit-forming drugs as a criminal problem.

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

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 1—Relating to aid to our enemy;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of January, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 7—Relative to the continuance of joint committees;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of January, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

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

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

Assembly Bill No. 1068: By Mr. Beck—An act to add Sections 9193 to 9196, inclusive, to the Education Code, relating to incidental fees in classes for adults.

Referred to Committee on Education.

Assembly Bill No. 1069: By Messrs. Conrad and Beck—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1070: By Messrs. Lindsay, Lowrey, Hansen, and Sherwin—An act to add Section 1383 to the Water Code, relating to appropriation of water.

Referred to Committee on Agriculture.

Assembly Bill No. 1071: By Messrs. Davis, Moss, and Coats—An act to add Sections 2⅞, 13⅛, and 50⅛ to the Public Utilities Act, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1072: By Mr. Davis—An act making an appropriation for the repair and restoration of county roads damaged or destroyed by storms or floods, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1073: By Mr. Davis—An act to amend Section 10971 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1074: By Mr. Davis—An act to add Section 49.5 to the Fish and Game Code, relating to closure of extreme fire hazard areas to hunting and fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1075: By Messrs. Munnell, Lanterman, Burke, Rosenthal, Evans, Hollibaugh, Kilpatrick, and Thomas—An act to add

Section 14551 to the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1076: By Messrs. Munnell, Lanterman, Burke, Rosenthal, Evans, Hollibaugh, Kilpatrick, and Thomas—An act to amend Section 35311 of the Government Code, relating to the annexation of territory.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1077: By Mr. Caldecott—An act to amend Section 20924 of the Education Code, relating to field workers at the California School for the Blind.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1078: By Mr Caldecott—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1079: By Messrs. Caldecott, Rumford, Dunn, and Dickey—An act to add Sections 31627 1, 31629, and 31671.1, to, and to amend Sections 31527, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1080: By Mr. Caldecott—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10 5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees

Referred to Committee on Municipal and County Government

Assembly Bill No. 1081: By Mr. Morris—An act to amend Section 690.7 of the Code of Civil Procedure, relating to property exempt from execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1082: By Mr. Morris—An act to add Section 30.5 to the Elections Code, relating to special elections

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1083: By Mr Davis—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 1084: By Mr. Brown—An act to add Section 21386 to the Water Code, relating to the duties of the board of directors

of irrigation districts, in respect to coverage of employees for social security purposes.

Referred to Committee on Agriculture

Assembly Bill No. 1085: By Mr. Brown—An act to amend Section 16075 of the Education Code, relating to elementary or secondary school fraternities.

Referred to Committee on Education.

Assembly Bill No. 1086: By Messrs Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to amend Section 26 of, to add Section 363 to, and to add Article 5, comprising Sections 365 to 365.9, inclusive, to Chapter 1, Division 3 of the Probate Code, relating to the probate of foreign wills.

Referred to Committee on Judiciary.

Assembly Bill No. 1087: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Chapter 7, comprising Sections 830 to 847, inclusive, to Title 10, Part 2 of, and to amend Section 1913 of, the Code of Civil Procedure, relating to enforcement of foreign judgments.

Referred to Committee on Judiciary

Assembly Bill No. 1088: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to amend Section 362 of, and to add Chapter 4a, comprising Sections 455 to 455.14, inclusive, to Division 3 of, the Probate Code, relating to ancillary administration of estates

Referred to Committee on Judiciary.

Assembly Bill No. 1089: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Article 6, comprising Sections 1953i to 1953*l*, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1090: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 1091: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Title 11, comprising Sections 1300 to 1332, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Referred to Committee on Judiciary.

Assembly Bill No. 1092: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Chapter 3, comprising Sections 2290 to 2290.27, inclusive, to Title 8, Part 4, Division 3 of the Civil Code, to add Sections 1120.5 and 1130 to, and to amend Section 1121 of, the Probate Code, relating to inventories and to intermediate, final, and distribution accountings by trustees.

Referred to Committee on Judiciary.

Assembly Bill No. 1093: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 1094: By Mr. Erwin—An act to add Section 19301.1 to the Education Code, relating to cafeterias in public schools.

Referred to Committee on Education.

Assembly Bill No. 1095: By Mr. Davis—An act to amend Section 19622 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1096: By Mr. Davis—An act to repeal Sections 2 and 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved July 17, 1947.

Referred to Committee on Agriculture.

Assembly Bill No. 1097: By Messrs. Grant and Klocksiem—An act to amend Sections 18523, 18801, and 19052 of the Government Code, and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1098: By Mr. Smith—An act to amend Section 14549 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1099: By Mr. Geddes—An act to amend Section 6 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1100: By Mr. Geddes—An act to amend Section 403 of the Unemployment Insurance Act, relating to Unemployment Trust Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1101: By Mr. Geddes—An act to amend Section 72 of the Unemployment Insurance Act, relating to appeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1102: By Mr. Geddes—An act to amend Section 68 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1103: By Mr. Geddes—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1104: By Mr. Geddes—An act to amend Section 39 of the Unemployment Insurance Act, relating to employer's contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1105: By Mr Dickey—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 1106: By Mr. Dunn—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1107: By Mr. Dunn—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Messrs. Brady, Maloney, Gaffney, George D. Collins, Connolly, McCarthy, Berry, and Meyers:

House Resolution No. 43

Relative to the death of Honorable Louis F Erb, former Assemblyman of the Twenty-eighth Assembly District, San Francisco, and to the adjournment of the Assembly of the State Legislature in respect to the memory of former Assemblyman, Honorable Louis F Erb

WHEREAS, The Members of the Assembly of the State of California have learned with profound sorrow of the recent death of the Honorable Louis F. Erb of San Francisco, California, on December 12, 1950; and

WHEREAS Louis F. Erb represented the City and County of San Francisco in the Assembly of the State Legislature in 1923 and 1925, serving the Twenty-eighth Assembly District, the Richmond-Park Presidio District of San Francisco; and

WHEREAS, During his term of office Louis F. Erb took an active and effective part in the work of the Assembly, performing distinguished services for the citizens of his district and the people of the whole State of California as a leader in the State Legislature; and

WHEREAS, Subsequent to his service as a Member of the Assembly, Louis F Erb served for many years as Minute Clerk in the Assembly, rendering invaluable services to the Members of the Assembly; and

WHEREAS, For the last 18 years Louis F. Erb has served as Deputy Registrar of Contractors in the Contractors' State License Board; and

WHEREAS, The Native Sons of the Golden West was graced with his presence as presiding chairman of a long list of public balls, first as a member of old Alcalde Parlor, then El Dorado Parlor, and finally, since 1943, Stanford Parlor; and

WHEREAS, The Past President's Assembly of the Native Sons of the Golden West saw fit to install him as Governor General, in which position he brought further renown to the order as well as greater acclaim and respect to himself; and

WHEREAS, The Benevolent and Protective Order of Elks, San Francisco Lodge No. 3, and the Richmond Lodge No. 375, F. and A. M. likewise respected and honored this excellent Representative of the Park Presidio-Richmond District in the Assembly of the State Legislature; and

WHEREAS, Louis F. Erb has devoted his life to public service, has served the people of the State of California faithfully and efficiently throughout the years and is mourned by his beloved family, the citizens of the State of California, and his fraternal associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California mourn the passing of the Honorable Louis F. Erb, and desire by this resolution to pay tribute to his excellent qualities and to convey to the members of the bereaved family their sympathy in this great loss; and be it further

Resolved, That when the Assembly this day adjourns, it do so out of respect to the memory of the Honorable Louis F. Erb; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to have prepared suitably engrossed copies of this resolution and is instructed to transmit them to the members of the bereaved family, Mrs. Mathilda Ubhaus, Charles H. Erb, Lloyd Ubhaus, Charles A. Erb, Robert T. Erb, Mrs. Charles Lienau, and Dr. Charles L. Schuler.

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

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

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

Assembly Bill No. 1108: By Messrs. Rumford and Connolly—An act to amend Section 20703 of the Health and Safety Code, relating to poisons.

Referred to Committee on Public Health.

Assembly Bill No. 1109: By Messrs. Rumford, Connolly, Morris, Grant, Lanterman, Levering, Lipscomb, and Smith—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26272, 26273, 26274, 26275, 26360, of, and to add Sections 26202.5, 26202.7, 26286.5, 26286.6, 26293.5, 26305, to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

Referred to Committee on Public Health.

Assembly Bill No. 1110: By Messrs. Rumford, Connolly, Dills, Kirkwood, Lipscomb, and Smith—An act to amend Sections 7066, 7067, and 7059 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents and providing for their parole or return to court from state institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 1111: By Messrs. Munnell, Lanterman, Rosenthal, Thomas, Evans, and Kilpatrick—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Messrs. Waters and Morris:

House Resolution No. 40—Re W. H. (Bud) Lollier.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 40 as Co-authors

Mr. Waters asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 40, as co-authors.

The roll was called, and the following members responded when their names were called:

Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

By Messrs. Waters, Morris, Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson:

House Resolution No. 40

Re: W. H. (Bud) Lollier

WHEREAS, It was with a deep feeling of regret that the Members of the Assembly learned of the illness of W. H. (Bud) Lollier, who for many years has worked with us and whom we have learned to love and respect because of his many fine qualities

WHEREAS, As the 1951 Session convened on January 8th, for the first time since "Bud" Lollier became a legislative representative his presence was noticeably missed by those who were associated with him, and by his many friends who not only include the legislators, but his admirers in all walks of life, who amiably assemble when a session of the Legislature convenes; and

WHEREAS, It is with happiness and joy that word has been received from Bud's home in Los Angeles that the serious major operation which confined him to a hospital bed for many weeks, has proved successful, and that Bud is now well on the road to complete recovery, now, therefore, be it

Resolved, That the Members of the Assembly of the State of California, regularly assembled this twelfth day of January, 1951, extend to W. H. (Bud) Lollier our sincere best wishes for a complete and speedy recovery, and pray that before this session ends the members may have the pleasure of seeing and greeting Bud as hale, hearty and strong as he was on his first visit to the Legislature; and be it further

Resolved, That a suitable copy of this resolution be forwarded to W. B. Bud Lollier.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting, and Caucus, at the Hotel Sacramento, upon recess.

Mr. Clarke announced that the Committee on Agriculture will meet today, upon adjournment, instead of at 2 p m., as previously scheduled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.44 a.m., Mr. Geddes asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Finance and Insurance, in Room 432, upon adjournment.

RECESS

At 11.45 a m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred.

Assembly Bill No 687

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

CALDECOTT, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 687—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

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

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

Assembly Bill No. 1112: By Mr. Stanley—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations, and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1113: By Mr. Levering—An act to add Chapter 9, comprising Sections 1150 to 1156, inclusive, to Part 3, Division 2, of the Labor Code, relating to coercive labor practices in connection with the printing, publication, or distribution of newspapers.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1114: By Mr. Kelly—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 15: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 22a to Article XII thereof, relating to the Public Utilities Commission.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1115: By Mr. Kelly—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Assembly Bill No. 1116: By Mr. Davis—An act to amend Section 2416 of the Labor Code, relating to bedding at labor camps.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1117: By Mr. Davis—An act to amend Section 923 of the Labor Code, relating to collective bargaining.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1118: By Mr. Dolwig—An act to amend Section 73700 of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 1119: By Mr. Dolwig—An act to amend Section 66f of the Code of Civil Procedure, relating to Superior Court Judges in the County of San Mateo.

Referred to Committee on Judiciary.

Assembly Bill No. 1120: By Mr. Morris—An act to amend Section 1824 of the Code of Civil Procedure, relating to the definition of proof.

Referred to Committee on Judiciary.

Assembly Bill No. 1121: By Messrs. Brown and Caldecott—An act to amend Sections 309, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6502, 9304, and 9305 of the Corporations Code; to add Section 3802 thereto; to repeal Section 9700 thereof; and to re-entitle Article 5 of said code, all relating to corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1122: By Mr. Lyon—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences.

Referred to Committee on Military Affairs

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 2

Assembly Joint Resolution No. 2—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Linsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.17 p.m., Mr. Lyon asked for, and was granted, unanimous consent to hold a special meeting of the Subcommittee on Elections and Reapportionment, in Room 426, at 2 18 p.m. Subject: Contested elections.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 24

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

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 24

By Mr. Hahn:

House Resolution No. 24

Relative to televising university athletic contests

WHEREAS, The University of California is supported by public funds; and

WHEREAS, The people of the State, who provide such funds, are justifiably proud of the university and of the part they play in supporting it; and

WHEREAS, The people are therefore keenly interested in the athletic program of the university, and justifiably regard its athletic teams as representatives of not only the university, but also the people of this State; and

WHEREAS, This feeling has caused large numbers of citizens of this State to make substantial investments in television sets in order that they might follow more closely the athletic contests in which the university participates; and

WHEREAS, It appears that the Pacific Coast Conference, of which the university is a member, is considering the adoption of a rule which will prohibit the televising of athletic contests participated in by its members; and

WHEREAS, Such rule, if adopted, would deprive the citizens of this State who have invested in television sets and who are unable to secure tickets or to attend such

contests, of the right to follow the activities of the teams of the university which they support; now, therefore, be it

Resolved by the Assembly of the State of California, That the Regents of the University of California be, and they are hereby requested, to take such action as is necessary to insure that the athletic teams of the university will not participate in any contest which may not, under the terms of any rule, contract or agreement, be televised; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to each member of the Board of Regents of the University of California, to the President of the University and to the Associated Students of the University of California.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No. 24, as printed on page 96 of the Assembly Journal of January 9, 1951, and insert

"WHEREAS, It appears that the Pacific Coast Conference has adopted a rule which will prohibit the televising of intercollegiate athletic contests participated in by its members; and

WHEREAS, Such a rule, as adopted, deprives the citizens of the State of California who have invested in television sets and who are unable to secure tickets or to attend such contests, opportunity of following the activities of the various teams on the Pacific Coast; and

WHEREAS, It is the feeling of a large number of citizens of the State of California who have developed a great interest in the following of intercollegiate athletic contests through television this last year that the banning of television will deprive them of much needed recreation and enjoyment; and

WHEREAS, It is only through television that many disabled veterans and servicemen and patients confined in hospitals are able to fully enjoy these events; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Pacific Coast Conference reconsider and modify its action of banning television of intercollegiate athletic contests by recognizing the great public interest and demand for an opportunity to see intercollegiate athletic contests by television since many of its citizens are deprived of the opportunity of witnessing these contests because tickets are not available or geographical distances prevent attendance; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to each officer of the Pacific Coast Conference and to the athletic directors of each university represented in the Pacific Coast Conference."

Amendment read, and adopted.

Consideration of House Resolution No. 24, as Amended

By Mr. Hahn:

House Resolution No. 24

Relative to televising university athletic contests

WHEREAS, It appears that the Pacific Coast Conference has adopted a rule which will prohibit the televising of intercollegiate athletic contests participated in by its members; and

WHEREAS, Such a rule, as adopted, deprives the citizens of the State of California who have invested in television sets and who are unable to secure tickets or to attend such contests, opportunity of following the activities of the various teams on the Pacific Coast; and

WHEREAS, It is the feeling of a large number of citizens of the State of California who have developed a great interest in the following of intercollegiate athletic contests through television this last year that the banning of television will deprive them of much needed recreation and enjoyment; and

WHEREAS, It is only through television that many disabled veterans and servicemen and patients confined in hospitals are able to fully enjoy these events; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Pacific Coast Conference reconsider and modify its action of banning television of intercollegiate athletic contests by recognizing the great public interest and demand for an opportunity to see intercollegiate athletic contests by television since many of

its citizens are deprived of the opportunity of witnessing these contests because tickets are not available or geographical distances prevent attendance; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to each officer of the Pacific Coast Conference and to the athletic directors of each university represented in the Pacific Coast Conference.

Resolution read, as amended.

Roll Call Demanded

Messrs. Babbage, Dolwig, and Brady demanded a roll call.

The roll was called, and House Resolution No. 24 adopted by the following vote:

AYES—Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Crowley, Dickey, Dolwig, Elliott, Geddes, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McGee, Morris, Munnell, Niehouse, Porter, Silliman, Smith, Tomlinson, and Waters—39.

NOES—Babbage, Connolly, Doyle, Dunn, Fleury, and McCarthy—6.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Bill No 16
Senate Bill No. 17
Senate Bill No. 18

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

DICKEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 41

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

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 10

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 1—Relative to Central Arizona Project.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, and Waters—55.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 8—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—55

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 9—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, and Waters—58.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Richard J. Dolwig Presiding

At 2.35 p.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 16 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—59.

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 16

Senate Bill No. 16—An act making an appropriation in augmentation of Item 5 of the Budget Act of 1950, for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Bill read second time.

Senate Bill No. 16—An act making an appropriation in augmentation of Item 5 of the Budget Act of 1950, for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Myers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—61.

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 17

Senate Bill No. 17—An act making an appropriation for mileage of the members and officers of the Senate, to take effect immediately.

Bill read second time.

Senate Bill No. 17—An act making an appropriation for mileage of the members and officers of the Senate, to take effect immediately.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—64.

NOES—None

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 18—An act to amend Section 3466a of the Political Code and Section 51681 of the Water Code, relating to reclamation districts

Bill read second time, and ordered to third reading.

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

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

Assembly Bill No. 1123: By Mr. Tomlinson—An act to amend Section 5006 of the Education Code, relating to bonding school district employees.

Referred to Committee on Education.

Assembly Bill No. 1124: By Mr. Tomlinson—An act to amend Sections 131.5 and 133 of the Civil Code, relating to interlocutory and final judgments of divorce.

Referred to Committee on Judiciary.

Assembly Bill No. 1125: By Mr. Lindsay—An act to add Chapter 6 to Part 3 of Division 4 of Title 3 of the Government Code, relating to the retirement, with retirement allowances, of county supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1126: By Mr. Brady—An act to amend Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1127: By Mr. Levering—An act to amend Section 41.1 of the Unemployment Insurance Act, relating to protest and review of charges to employers' reserve account

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1128: By Mr. Levering—An act to amend Sections 69, 70, 72, 76, 77, and 83 of, to repeal Sections 78, 78.1, and 79 of, and to add Sections 78, 78 1, and 79 to the Unemployment Insurance Act, relating to appeals.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1129: By Mr. Levering—An act to amend Sections 69, 70, 72, 76, 77, and 83 of, to repeal Sections 78, 78 1, and 79 of, and to add Sections 78, 78.1, and 79 to the Unemployment Insurance Act, relating to appeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1130: By Mr. Levering—An act to amend Section 311 of the Unemployment Insurance Act, relating to disability insurance appeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1131: By Mr. Levering—An act to amend Sections 41.1, 41.5, 45.5, 45.9, and 45 11 of the Unemployment Insurance Act, relating to unemployment insurance and appeals procedure thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1132: By Mr. Levering—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1133: By Mr. Levering—An act to amend Section 6 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1134: By Mr. Levering—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1135: By Mr. Levering—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1136: By Mr. Levering—An act to amend Section 56 and to repeal Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1137: By Mr. Levering—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1138: By Mr. Levering—An act to add Section 44.1 to the Unemployment Insurance Act, relating to unemployment insurance and employee contributions to same.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1139: By Mr. Levering—An act to amend Sections 39, 39.1, and 41.1 of the Unemployment Insurance Act, relating to employer contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1140: By Mr. Levering—An act to amend Sections 57 and 58 of the Unemployment Insurance Act, relating to eligibility for benefits thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1141: By Mr. Levering—An act to add Sections 57.3 and 57.6 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1142: By Messrs. Connolly and Rumford—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Referred to Committee Agriculture

Assembly Bill No. 1143: By Messrs. Connolly and Rumford—An act to repeal Section 28483 of and to add Section 28483 to, the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Referred to Committee Agriculture.

Assembly Bill No. 1144: By Messrs. Connolly and Rumford—An act to amend Sections 28007 and 28010, of the Health and Safety Code, relating to retail outlets dealing in uninspected and inspected horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 1145: By Messrs. Connolly and Rumford—An act to amend Section 26472, 26519, 26580, 26617, 26621, and to add Section 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1146: By Messrs. Connolly and Rumford—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1147: By Messrs. Connolly and Rumford—An act to amend Sections 28282, 28294, 28312, 28314 and add Sections 28282.5, 28292, 28326, 28327 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1148: By Messrs. Connolly and Rumford—An act to amend Sections 28230, 28250, and 28251 and to repeal Section 28190 of the Health and Safety Code to control the return of all bakery products and making provisions for enforcement of the Bakery Act by city and county health departments.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1149: By Mr. Waters—An act to amend Sections 6728 and 6757 of, and to add Sections 6701.5 and 6742.5 to, the Elections Code, relating to elections conducted under the punch card voting system.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1150: By Mr. Dills—An act to regulate the rental of housing accommodations, establishing a Temporary State Housing Rent Commission, setting forth its powers and duties, and making an appropriation therefor

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1151: By Messrs. Porter, Dunn, and Hollibaugh —An act to add Section 13236 to the Education Code, relating to teachers.

Referred to Committee on Education.

Assembly Bill No. 1152: By Mr Condon—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1153: By Mr. Coats—An act to amend Sections 11460 and 11463 of the Water Code, relating to use of water.

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

Assembly Bill No. 1154: By Mr. Porter—An act to add Section 1.5 to an act entitled, "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code," approved July 27, 1949, relating to judicial districts.

Referred to Committee on Judiciary

Assembly Bill No. 1155: By Messrs. Babbage, Stanley, and Shaw—An act to add Section 60 to the State Water Resources Act of 1945, relating to flood control, declaring the urgency thereof, to take effect immediately.

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

Assembly Bill No. 1156: By Mr. Babbage—An act to add Section 20986 to the Government Code, relating to compulsory retirement of members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1157: By Mr. Babbage—An act to amend Section 27322 of, and to add Section 50026 to, the Government Code, relating to the recording of instruments, ordinances, and regulations.

Referred to Committee on Judiciary.

Assembly Bill No. 1158: By Messrs. Dickey, Dunn, Rumford, Caldecott, and Lincoln—An act to add Section 269b to the Code of Civil Procedure, relating to official reports of the Superior Court in and for the State of California.

Referred to Committee on Judiciary.

Assembly Bill No. 1159: By Messrs. Brown and Rosenthal—An act to add Section 1870.1 to the Code of Civil Procedure, relating to the admissibility of a plea of guilty to a public offense as evidence in a civil action.

Referred to Committee on Judiciary.

Assembly Bill No. 1160: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 789 to the Probate Code, relating to the sale of real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1161: By Messrs. Brown and Rosenthal—An act to amend Section 755 of the Vehicle Code, relating to the admissibility of a plea of guilty or record of conviction for a violation of the Vehicle Code as evidence in a civil action.

Referred to Committee on Judiciary.

Assembly Bill No. 1162: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 1203.10 of the Penal Code, relating to probation reports.

Referred to Committee on Judiciary.

Assembly Bill No. 1163: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 1027 of the Penal Code, relating to commitment for observation of defendants pleading not guilty by reason of insanity

Referred to Committee on Judiciary.

Assembly Bill No. 1164: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Referred to Committee on Judiciary.

Assembly Bill No. 1165: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 241 of the Code of Civil Procedure, relating to the impaneling of grand juries.

Referred to Committee on Judiciary.

Assembly Bill No. 1166: By Messrs. Brown, Rosenthal, and Caldecott—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1167: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 537 of the Code of Civil Procedure, relating to attachments

Referred to Committee on Judiciary.

Assembly Bill No. 1168: By Messrs. Brown and Rosenthal—An act to amend Section 906 of the Penal Code, relating to grand juries, providing for continuous establishment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1169: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 18.5 to the Code of Civil Procedure, relating to the signing of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 1170: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1171: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1172: By Messrs. Brown and Rosenthal—An act to add Section 969bb to the Penal Code, relating to proof of prior convictions.

Referred to Committee on Judiciary.

Assembly Bill No. 1173: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 950 and 951 of the Penal Code, relating to the contents and form of the indictment or information.

Referred to Committee on Judiciary.

Assembly Bill No. 1174: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 203 of the Penal Code, relating to the crime of mayhem.

Referred to Committee on Judiciary.

Assembly Bill No. 1175: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 2577 to the Welfare and Institutions Code, relating to residence of parolees for hospitalization purposes.

Referred to Committee on Judiciary.

Assembly Bill No. 1176: By Messrs. Brown and Rosenthal—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions.

Referred to Committee on Judiciary.

Assembly Bill No. 1177: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 1178: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death.

Referred to Committee on Judiciary.

Assembly Bill No. 1179: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 587 and 1515 of the Probate Code, relating to the dedication or conveyance of real property or interests therein of the estates of decedents and of wards.

Referred to Committee on Judiciary.

Assembly Bill No. 1180: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 18661, 18662, 18671, 18672, 18674, and 18675 of the Education Code, relating to the sale, lease, dedication, grant, quitclaim and conveyance of real property of school districts.

Referred to Committee on Education.

Assembly Bill No. 1181: By Messrs. Brown and Rosenthal—An act to amend Section 1246.1 of the Code of Civil Procedure, relating to the condemnation of property involving two or more estates or interests in separate ownership.

Referred to Committee on Judiciary.

Assembly Bill No. 1182: By Mr. Brown—An act to add Section 2853 to the Civil Code, relating to notice of accrued claims against a licensee or permittee under bond.

Referred to Committee on Judiciary.

Assembly Bill No. 1183: By Mr. Brown—An act to add Section 19 to the Agricultural Code, relating to claims against bonded licensees.

Referred to Committee on Agriculture.

Assembly Bill No. 1184: By Messrs. Brown and Caldecott—An act to amend Section 1300.13 of the Agricultural Code, relating to marketing agreements.

Referred to Committee on Agriculture.

Assembly Bill No. 1185: By Mr. Brown—An act to amend Sections 690.3 and 690.7 of the Code of Civil Procedure, relating to property exempt from execution and attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 1186: By Messrs. Brown and Caldecott—An act to amend Section 428 of the Vehicle Code, relating to liens on vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1187: By Mr. Brown—An act to add Sections 447, 448, 449, 450, 451, and 452 to the Penal Code, and to repeal Sections 447a, 448a, 449a. 600, and 600.5 thereof, relating to the burning of property.

Referred to Committee on Judiciary.

Assembly Bill No. 1188: By Mr. Brown—An act to provide for notification of release from custody of persons convicted of arson.

Referred to Committee on Judiciary.

Assembly Bill No. 1189: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 13 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1190: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 34 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1191: By Messrs. Brown and Rosenthal—An act to amend Section 10 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1192: By Messrs. Brown, Rosenthal, and Caldecott—An act to repeal Section 89 of the Code of Civil Procedure as

amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts.

Referred to Committee on Judiciary

Assembly Bill No. 1193: By Messrs. Brown and Caldecott—An act to amend Section 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1194: By Messrs. Brown and Caldecott—An act to amend Section 29 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1195: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 25 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary

Assembly Bill No. 1196: By Messrs. Brown and Caldecott—An act to amend Section 77a of the Code of Civil Procedure, relating to appeals to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1197: By Messrs. Brown and Caldecott—An act to amend Section 13 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1198: By Messrs. Hansen and Clarke—An act to amend Section 803.5 of the Agricultural Code, relating to nectarine standards, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1199: By Mr. Caldecott—An act to add Sections 31114 and 31115 to the Government Code and to add Article 6, comprising Sections 45200, 45201, and 45210 to Chapter 1, Division 5, Title 4 of the Government Code, relating to city and county civil service.

Referred to Committee on Judiciary.

Assembly Bill No. 1200: By Messrs Caldecott and Connolly—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety.

Referred to Committee on Judiciary.

Assembly Bill No. 1201: By Messrs. Caldecott, Brown, and George D. Collins—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Referred to Committee on Judiciary.

Assembly Bill No. 1202: By Messrs. Caldecott and Brown—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 1203: By Messrs. Caldecott and Brown—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1204: By Messrs. Connolly, Maloney, Rumford, Caldecott, and Lipscomb—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 1205: By Mr. McMillan—An act to add Sections 222.3 and 224.5 to, and to amend Section 225 of, the Labor Code, relating to wage deductions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1206: By Mr. McMillan—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1207: By Mr. McMillan—An act to repeal Part 6 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1208: By Mr. McMillan—An act to amend Section 450 of the California Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1209: By Mr. McMillan—An act to amend Section 451 of the California Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1210: By Mr. Connolly—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine.

Referred to Committee on Public Health.

Assembly Constitutional Amendment No. 16: By Messrs. Lincoln, Rumford, Caldecott, Rosenthal, Dills, Gaffney, Grant, and Lindsay—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 4, and 5 of Article IV of the Constitution of said State, relating to the term of office of Members of the Assembly and Senate.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

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

Assembly Bill No 687

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENTS

Mr. Maloney announced that he is holding a bill at his desk relating to the permanently and totalled disabled, and that all who desire to be co-authors may come to his desk and affix their signatures.

Mr. Dickey announced that Mr. Dalton, of the California-Western States Life Insurance Company, will be available (room to be announced later) on Wednesday and Thursday mornings, January 17th and 18th, at 10 a.m., and will remain all day, each day, for the purpose of discussing with interested members facts relative to their participation in the California State Employees' Association group hospital, surgical and medical benefits and the group term and group ordinary life insurance programs that are offered at reduced rates, without physical examination.

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

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

Assembly Bill No. 1211: By Mr. Connolly—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 1212: By Mr. Connolly—An act to amend Section 2147.5 of the Business and Professions Code, relating to internes and resident physicians in hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 1213: By Mr. Connolly—An act to add Section 276 to the Penal Code, relating to abortions.

Referred to Committee on Judiciary.

Assembly Bill No. 1214: By Mr. Connolly—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate

Referred to Committee on Public Health.

Assembly Bill No. 1215: By Mr. McCarthy—An act to add Articles 3 and 4 to Chapter 5, Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedure, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1216: By Mr. Maloney, Mrs. Niehouse, Messrs. Hinckley, Gaffney, Belotti, Burkhalter, Caldecott, Crowley, Dickey, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Meyers, Moss, Parker, Porter, and Rumford—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104 6, 114.5, 118 2, 119 5, 124, 145, 145 1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1217: By Messrs Munnell, Rosenthal, Hollibaugh, and Kilpatrick—An act to amend Section 1599 of the Education Code, relating to the disposition of, and payment for, school district property located in territory taken from a school district and annexed to another school district.

Referred to Committee on Education

RESOLUTIONS

The following resolution was offered:

By Mr Burkhalter:

House Resolution No. 44

Relative to the creation of the Assembly Interim Committee on Domestic Relations

WHEREAS, The family unit is the basic foundation of our civilization and the continuance and progress of our democratic way of life depends upon its preservation and protection of the family unit; and

WHEREAS, The laws of this State dealing with domestic relations have never been adequately studied and analyzed as a whole, but have been revised and added to from time to time without evaluating their relationship to our modern social structure, and

WHEREAS, There exists a great need for a thorough study and analysis of the laws of this State pertaining to or affecting domestic relations, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, Such a study and analysis of all facts relating to this subject can best be made by a fact-finding committee of the Legislature; now, therefore, be it

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

1. The Assembly Interim Committee on Domestic Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution and all facts included and in any way related to the subjects mentioned in the recital hereof, including but not limited to, marriage, divorce, separation, community and separate property, children and the custody and support thereof, and other related subjects affecting domestic relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

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

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

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

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

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

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

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

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

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

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

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

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

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

Assembly Bill No. 1218: By Mr. Doyle—An act to amend Section 18711 of the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1219: By Mr. Fleury—An act to add Section 17746.1 to the Revenue and Taxation Code, relating to state taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1220: By Mr. Coats—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Motion to Place Rush Order on Printing of Assembly Bill No. 1220

Mr. Coats moved that a rush order be placed upon the printing of Assembly Bill No. 1220.

Motion carried.

COMMUNICATIONS

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
SACRAMENTO, CALIFORNIA, January 15, 1951

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

DEAR MR. OHNIMUS: At the direction of the State Water Resources Board there is transmitted to your honorable body a copy of a Report on Activities of the State Water Resources Board for the period January 1, 1948 to July 1, 1950.

Very truly yours,

A. D. EDMONSTON, Secretary

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

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
SACRAMENTO, CALIFORNIA, January 15, 1951

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

DEAR MR. OHNIMUS: I have the honor of transmitting herewith Resolution No 96 of the State Water Resources Board dated December 1, 1950, adopting "Report on San Lucas Project in Salinas River Basin, Monterey County, November, 1950," copy of which accompanies the resolution.

Very truly yours,

A D. EDMONSTON, Secretary

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

By Speaker Sam L. Collins:

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

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON MANUFACTURING, OIL, AND MINING INDUSTRY
SACRAMENTO, January 15, 1951

Hon. Sam L. Collins,
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SAM: In accordance with the request contained in the Assembly Concurrent Resolution No 91, relative to Liquefied Petroleum Gas, the State Fire Marshal has this day delivered the attached report to the Committee on Manufacturing, Oil, and Mining Industry.

It is requested that this report be printed in the Assembly Journal for the information of the Members of the Assembly.

Sincerely yours,

G. DELBERT MORRIS, Chairman,
Committee on Manufacturing, Oil,
and Mining Industry

Above transmitted report ordered printed in the Journal in 10-point type as follows:

REPORT OF STATE FIRE MARSHAL RELATIVE TO LIQUEFIED PETROLEUM GAS

STATE OF CALIFORNIA
STATE FIRE MARSHAL

LIQUEFIED PETROLEUM GAS REPORT TO LEGISLATURE

Assembly Concurrent Resolution No. 91, relating to liquefied petroleum gas, was passed by the 1949 General Session of the Legislature. This resolution provided "that the State Fire Marshal with the advice of the State Fire Advisory Board be hereby empowered and directed to ascertain, study, and analyze all of the facts relating to the storage, use, and handling of liquefied petroleum gas; he shall, after consultation with representatives of the liquefied petroleum gas industry and the fire service of California, prepare an outline of the safety standards deemed necessary to afford a reasonable degree of public safety together with his recommendations for the enforcement and administration thereof. He shall also submit estimates on the cost of administering the regulations and an equitable plan of financing, and shall report his findings and recommendations to the Legislature not later than the fifteenth day of the 1951 Regular Session of the Legislature."

INTRODUCTION

Liquefied petroleum gas is a product of petroleum which normally is in a gaseous state but which may be liquefied by applied pressure in varying degrees depending upon the type of gas. There are three principal gases that are commonly referred to by the term "liquefied petroleum gas" or "LP-Gas" as it will be later referred to in this report. They are listed in Table 1 below together with their heat values in British thermal units and the vapor pressure in pounds per square inch necessary to maintain the gas in a liquid state.

Table No. 1—Liquefied Petroleum Gases

Product	*Heat Value (In B.T.U. Per Pound of Gas)*	*Vapor Pressure (Absolute at 100° F.)*
Normal Butane	21,300	52.0
Isobutane	21,300	73.5
Propane	21,600	189.5

There are several other gases that fall under the title of LP-Gas but they are not in common use in the domestic or commercial field in California.

In order to obtain operating pressures satisfactory for seasonal use, the industry follows a practice of blending the various LP-Gas products so that the most desirable vapor pressure may be provided.

The value of LP-Gas to our California economy may be measured by the increasing demand for the product. In 1944 it was estimated that 106,880,000 gallons of LP-Gas were consumed in California; in 1949 it was estimated that 244,480,000 gallons were consumed. This would indicate an increase in consumption of approximately 129 percent in five years.

LP-Gas provides a practical source of fuel for domestic, commercial, industrial, and agricultural heat and power; its use as a motor vehicle fuel is increasing rapidly. It is roughly estimated that there are more than 485,000 commercial and domestic users of LP-Gas in California and between 350,000 and 400,000 (or about 80 percent) are domestic users. Approximately 10 percent of the people in California depend upon this product for domestic fuel and, for the most part, these users are located in the rural areas beyond the reach of utility piped gas. This fact has made the safety problem more complex in that these rural areas generally do not have local safety ordinances or enforcement personnel to properly govern the storage, handling, transportation, distribution, and use of LP-Gas As a result, a great many inferior systems have been installed.

In 1934 the State Industrial Accident Commission, with the cooperation of the LP-Gas industry, prepared and adopted industrial safety orders governing the storage, handling, and transportation of LP-Gas; but since these orders are prepared and adopted under employee's safety laws, they are not applicable to owner-operated transportation or distribution concerns nor to consumer installations where there are no employees. The industrial safety orders have been very effective in reducing the fire and explosion hazard where they apply, but their limited scope and the lack of local ordinances and regulations have left the greater portion of LP-Gas installations free from safety regulations.

The Division of Industrial Safety has developed and has in operation an effective program for controlling the manufacture of LP-Gas pressure vessels, tanks, and containers. Because of their close contact with pressure vessel manufacturers, it would be unwise to make any change in the method of regulating the manufacture of LP-Gas vessels, tanks, or containers.

INSURANCE

At the time this study was ordered, the LP-Gas industry was facing a desperate liability insurance problem. Nearly all of the American insurance underwriters were refusing to write the risk on distributors of LP-Gas and premium rates of foreign insurance underwriters were so high that they had a strangling effect upon the industry. Early in 1949 liability insurance premium rates on LP-Gas dealers were reported to be, with but few exceptions, 4½ percent of the gross business of the distributor; but, for no apparent reason, American insurance underwriters have again entered the field of competition and some LP-Gas distributors now report they can obtain liability insurance for as low as 1½ percent and 2 percent of gross receipts.

SCOPE OF STUDY

During the past two years, the State Fire Marshal, with the aid of the State Fire Advisory Board and a small representative industry committee, has conducted an extensive study of the LP-Gas safety problem in an effort to find a practical solution. This study was made along the following lines:

(a) Copies of all state laws in the United States, dealing with the LP-Gas safety problem were obtained and the approach was carefully studied. Thirty-nine states were found to have statutes dealing with LP-Gas problems; but there is a decided lack of uniformity and, like California, many states do not regulate domestic consumer installations; others that have domestic consumer regulations report they do not have adequate personnel to properly discharge their responsibility.

The following outline presents a condensed compilation of special features in laws and regulations of other states dealing with the LP-Gas safety problems:

Number of states that	
Regulate storage, transportation, distribution, or use of LP-Gas	39
Have specific laws dealing with LP-Gas	20
Regulate LP-Gas by means of broad administrative authority	19
Require bonding of dealers	9
Require liability insurance	5
Require products insurance	4
Require operators to pass examinations	5
Prohibit filling unapproved cylinders	4
Prohibit serving unapproved systems	4
Require licensing of appliance dealers	6
Require equipment installer to be licensed	6
Require licensing of bottle exchange dealer	6
Require licensing of bulk distributor	6
Have equipment and appliance standards established by law	1
Have equipment and appliance standards established by rules	29
Have equipment and appliance standards established by both law and rules	3
Have regulations covering consumer appliances	8
Make inspection charge	6
Administer LP-Gas regulations under the state fire marshal	21
Administer LP-Gas regulations under a state agency other than the state fire marshal	18

(b) A questionnaire was distributed to California city and county fire officials concerning their fire and explosion experience with LP-Gas during the period of July 1, 1946, to July 1, 1949. One hundred twenty fire officials reported their experience for the three-year period. A study of these reports seemed to indicate that from a statistical standpoint, the final conclusions would not materially differ if every city and county fire official had reported. Some facts disclosed by the 120 questionnaires returned are as follows:

1. Of the 120 fire departments reporting, 77 indicated no fires or explosions had occurred in their districts as a result of LP-Gas

during the three-year period; the remaining 43 departments reported 218 fires and explosions which resulted in an estimated $1,060,872.00 fire loss. This would indicate an average of $4,866.39 per incident.

2. There were 218 fires or explosions attributed to LP-Gas.

3. Seventeen deaths and 70 injuries resulted from the 218 LP-Gas fires or explosions reported. This would indicate that for each 12.8 fires or explosions one death occurred and for each 3.1 fires or explosions one person was injured.

4. Ninety-five of the 120 departments reporting indicated that they believed special state legislation was necessary to deal with the LP-Gas safety problem; 17 reported they did not believe such legislation was necessary, and eight did not answer the question.

5. Forty-four departments reported that they deemed local enforcement adequate; whereas 53 felt local ordinances were inadequate. This difference of opinion is in all probability due to the fact that some cities have ordinances while others do not.

NOTE: The reporting departments mentioned above do not include the cities of San Francisco and Los Angeles. LP-Gas is not in general domestic use in the larger cities and their inclusion in the statistics would produce an unbalanced statistical report.

(c) Efforts were made to determine the quantity of LP-Gas used in the State of California. While authentic data are unavailable on this subject, we were able to gather from various sources information on which to base a close estimate. The following estimates are based on the Bureau of Mines' reports for five western states: California, Oregon, Washington, Nevada, and Arizona

Year	*Total Gallons 5 Western States*	*California Gallonage Consumption*
1944	167,000,000	106,880,000
1945	187,000,000	119,680,000
1946	237,000,000	151,680,000
1947	294,000,000	188,160,000
1948	382,000,000	244,480,000

It is estimated that California's consumption is 64 percent of the total LP-Gas consumed in the five western states.

In 1948 the United States Bureau of Mines indicated the following percentage consumption of LP-Gas in the United States:

Domestic and Commercial	53.8%
Gas Manufacturing	8.7%
Industrial Plants	7.8%
Synthetic Rubber	8.3%
Chemical Plants	17.9%
Internal Combustion Engines	3.4%
All Others	0.1%

HAZARDS OF THE PRODUCT

The hazards of this product may be viewed from three different angles. First, the fire and explosion hazard; second, the health hazard; and third, the industrial employee hazard.

From a fire and explosion hazard standpoint, the problem is similar to that of ordinary illuminating gas except that it is heavier than air and tends to travel near the surface of the ground and collect in any depressions; whereas, the illuminating gas, being lighter than air, tends to rise and disperse itself. Its hazards are similar to those of gasoline vapors from a standpoint of ignition and explosive mixture range. The fact that it requires pressure to hold it in a liquid state likewise has an effect upon the fire and explosion hazard.

The health hazard of the product is primarily that the gas cannot be readily detected unless an odorant is added and, therefore, presents an asphyxiation hazard. The carbon monoxide hazard of LP-Gas-fired appliances is not materially different from that of the ordinary illuminating gas.

The industrial employee hazards are a combination of the above-mentioned fire and health hazards.

Generally LP-Gas, like any other highly flammable liquid or gaseous substance, is considered to be a hazardous product. The hazards can, however, be reduced to a reasonably safe point by the use of proper equipment, appliances and safety devices; and by adhering to common safety practices.

The two most common causes of LP-Gas fires and explosions are:

1. Inferior or faulty equipment, fixtures and appliances, or the improper assembly thereof by inexperienced persons.

2. Carelessness or lack of experience and knowledge in servicing and refilling LP-Gas systems.

Equipment and appliances for storage, handling, and consumption of LP-Gas have developed rapidly during the past fifteen years; and where modern equipment and appliances are used and are properly assembled, the hazard of this product is very little different from that of ordinary illuminating gas.

DEVELOPING LP-GAS HEALTH AND SAFETY STANDARDS

Both the industry and the fire service have expressed a feeling that safety standards having to do with LP-Gas equipment, fixtures and appliances should be established by administrative authority and not by fixed statutes. Both have expressed a feeling that LP-Gas health and safety standards should be established by a board, commission, or at least a legally established advisory committee consisting of representatives from industries and both state and local health and safety officials.

Any intelligent approach to the LP-Gas safety problem must be viewed from several different angles, as follows:

First, they should adequately cover every hazardous phase of the LP-Gas problem, so that no dangerous or hazardous condition or practice would be exempt.

Second, all LP-Gas equipment, fixture, appliance and safety device design standards should follow nationally recognized standards.

Third, the standards should be sufficiently flexible administratively to permit their practical application.

Fourth, they should cover hazards created to adjacent property.

It is not deemed advisable to write into this report the extensive technical details of LP-Gas safety standards, but it is recommended that the

following nationally recognized standards be used as a basis in establishing any state-wide health and safety regulations:

(a) "National Board of Fire Underwriters Pamphlet No. 58," governing the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gas. (October 1950 Edition.)

(b) "National Board of Fire Underwriters Pamphlet No. 59." Standards for liquefied petroleum gases at utility gas plants. (March 1949 Edition.)

(c) "Liquified Petroleum Gas Association." Recommended good practice rules for liquified petroleum gas piping and appliance installations in buildings. (LPGA No. 1 dated December 1950.)

Obviously, if special legislation is to be introduced for the purpose of minimizing the fire, explosion and health hazards of this product, such legislation must include provisions to deal with dangerous existing facilities, otherwise it would not be effective. The statutes should provide that the regulations shall apply to both new and existing systems but exceptions will be necessary to intelligently deal with existing installations.

ADMINISTRATION AND ENFORCEMENT

Because of the vast number of LP-Gas installations in the State of California, administration and enforcement of any effective safety program will be a sizable job. Laws and regulations are only as good as they are administered and enforced, and the effectiveness of any state law dealing with the LP-Gas safety problem will depend to a great extent upon the administration and enforcement provisions contained within the act.

Because of the highly technical nature of the LP-Gas safety problem, inspection and enforcement of the safety standards will require skilled and qualified personnel. The State cannot look to local officials for any great amount of assistance in the enforcement of State LP-Gas Safety Laws, for the reason that approximately 80 percent of the LP-Gas systems in California are domestic systems and, for the most part, are located outside of corporate cities.

The State may expect assistance from the industry in administering the laws, but this assistance would necessarily be limited. Some of the industry representatives feel that if state laws were enacted and standards were established they could aid materially in policing their own industry, but experience has indicated that self-policing programs are not too effective unless they are augmented by adequate enforcement officials.

The following administration and enforcement plans are offered as possible solutions to the LP-Gas safety problem:

Plan No. 1

That the present authority of the Division of Industrial Safety be expanded by a special statute to provide them with authority to establish safety standards and to regulate the storage, handling, transportation and use of LP-Gas, including commercial, industrial and domestic uses; that their 1951-52 Budget be augmented by a special item for the development of the necessary safety standards,

and that following the completion thereof, their enforcement personnel be augmented to a point where, with the assistance of the industry itself, they could properly administer the State's LP-Gas health and safety regulations.

The provisions of the State Labor Code provide for the payment of special inspection fees on all pressure vessels, including LP-Gas tanks and containers, and if these fees were augmented by a special license or registration fee on all commercial and industrial distributors of LP-Gas and LP-Gas appliances, sufficient funds could be made available to administer the regulations.

It is estimated that to conduct the necessary research, develop the standards and hold public hearings would require approximately one year, and it is estimated that the cost of such research and study would amount to about $10,000. In view of this time element, provisions of the special act having to do with licensing, registration and enforcement of the act should not become effective until the beginning of the fiscal year following enactment of the law.

Plan No. 2

That there be created by special legislation a division or bureau with a board or commission having full authority and responsibility to administer the LP-Gas health and safety laws and regulations on the state level. The legislation should provide for:

(a) Registration and licensing of LP-Gas distributors, equipment and appliance dealers, transport vehicles, and equipment and appliance installation concerns.

(b) The development and adoption of minimum LP-Gas health and safety standards governing all phases of industrial, commercial and domestic storage, handling, transportation, distribution and use of LP-Gas.

(c) Reports by equipment and appliance dealers on all new LP-Gas system installations and reports by all LP-Gas retail dealers on the location and condition of systems serviced by them. Such reports to be on standard forms prepared by the administrative agency.

(d) The condemnation of dangerous equipment, appliances and systems after an investigation by the administrative agency and a prohibition against servicing such systems until dangerous conditions are corrected.

(e) An adequate staff to make inspections of inferior existing systems reported to the agency and to make spot checks on new installations.

This plan would contemplate maximum use of the industry in a self-policing program and should vest local officials with authority to enforce the safety standards in their respective areas.

Either of the two plans outlined above would materially reduce the fire and explosion hazard in connection with the use of LP-Gas. Since the Division of Industrial Safety in the Department of Industrial Relations has jurisdiction over the manufacture, distribution and use of pressure vessels and has authority to enforce safety orders in places of

employment, Plan No. 1 would seem to be the most logical and economical Likewise, the industry representatives who were consulted on this problem have expressed a feeling that Plan No. 1 would be the most acceptable to them since Plan No. 2 would be more costly and would in all probability require a special gallonage tax on LP-Gas in order to finance the special division or agency.

The industry believes that Plan No 1 should be given a trial, and if at a later date a special division or bureau was deemed necessary, additional legislation could be submitted to further develop the safety program.

Respectfully submitted,

JOE R. YOCKERS, State Fire Marshal

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Tidelands and Transbay Crossings, in Room 426.
Agriculture, in Room 432.
Finance and Insurance, fourth floor.

Tomorrow, Wednesday, January 17th, at 10 a.m.—

Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to C. C Blalock, Frank Calhoun, Charles Conroy, James E. Gaston, E. M. Johnson, and V. H. Roman of San Francisco.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Col. John H. Brimberry, U. S. A. of San Jose, Mrs. Charles Gubser of Santa Clara, and T. A. Minardi of San Jose.

On request of Mr. Parker, the usual courtesies of the Assembly for this day were unanimously extended to Floyd Klinger and Steve Fedi of Stockton, and Mario Tambarini of San Diego.

On request of the Los Angeles County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Jack Massion of Los Angeles, former Assemblyman.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman and Mrs. Thomas A. Mitchell and Miss Ruth Mitchell of San Francisco.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Roy Archibald, teacher of the San Mateo Junior College, and the following pupils: Sharon Ritchie, John Williams, Kenneth Miller, Ron Masi, and Phillip Murphy.

ADJOURNMENT

At 3 03 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m , Wednesday, January 17, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 17, 1951

The Assembly met at 11 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father in Heaven, our Strength and our Redeemer, Grant Thy guidance for the duties of this day. Bless and protect those who serve in the Armed Forces, and grant wisdom to all who stand in places of leadership and responsibility, in State and Nation.

"Lord of all nations, thus to Thee
Our Country we commend;
Be Thou her refuge and her trust,
Her everlasting Friend."

We ask it all through Jesus Christ our Lord.

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Berry, on motion of Mr. George D. Collins

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr. Caldecott.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 17, 1951

Hon. Sam L. Collins, Speaker
The Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Radio Station KCRA—Jack Matranga, Dick Wood.

Sincerely,

EARL C. BEHRENS, President

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

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

COMMUNICATIONS

By Speaker Sam L. Collins:

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

STATE OF CALIFORNIA, SACRAMENTO, January 15, 1951

TO: *Hon. Sam L. Collins*
Speaker of the Assembly
State Capitol, Sacramento, California

FROM: *Secretary of State*

Our Archives Department has advised me that occasionally Members of the Assembly clear out their files and destroy certain material which sometimes includes reports of committee hearings, etc. We have found that in this material there are documents which are very valuable to the Archives

I will appreciate it if you will request the members to contact this office before destroying any of this material so that it may be screened for valuable material.

FRANK M. JORDAN, Secretary of State

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1145, 1146, 1147, AND 1148, BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered Assembly Bills Nos. 1145, 1146, 1147, and 1148 withdrawn from the Committee on Public Utilities and Corporations, and re-referred to the Committee on Public Health

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1128 BE PLACED IN OFFICE OF LEGISLATIVE COUNSEL FOR CORRECTION

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 1128 be placed in the office of the Legislative Counsel for correction

SUBCOMMITTEE APPOINTMENT ANNOUNCED

Mr. Waters announced the appointment of Messrs. Dolwig, Sherwin, Berry, Davis, and Butters to membership on the Subcommittee on Elections and Reapportionment to consider facts relative to the contested election of Mr. McGee

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 43

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

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 3

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 504

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

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 51

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

GEDDES, Chairman

Above reported bill ordered to second reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 49
Assembly Bill No. 556
Assembly Bill No. 557
Assembly Bill No. 582
Assembly Bill No. 583
Assembly Bill No. 600
Assembly Bill No. 603

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

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred
Assembly Bill No. 602

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

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:
Assembly Bill No 38

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:
House Resolution No. 14
House Resolution No. 37

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

DICKEY, Chairman

Above reported resolutions ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1221: By Mr. Lyon (By Request)—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1222: By Mr. Stewart—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1223: By Mr Stewart—An act to add Section 91.6 to the Agricultural Code, relating to the powers and duties of district agricultural associations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1224: By Mr. Stewart—An act to amend Section 9025 of, and to add Section 9019 to, the Business and Professions Code, relating to social workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1225: By Mr. Stewart—An act to amend Section 9005 of the Business and Professions Code, relating to social workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1226: By Mr. Stewart—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1227: By Mr. Stewart—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1228: By Mr. Stewart—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1229: By Mr. Stewart—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1230: By Mr. Stewart—An act to amend Sections 9563 and 9566 of the Business and Professions Code, relating to minimum prices in the dry cleaning industry.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1231: By Mr. Stewart—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1232: By Mr. Stewart—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1233: By Mr. Stewart—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1234: By Mr. Stewart—An act to amend Sections 8525, 8568, 8635, 8641, 8642, 8644, and 8651 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1235: By Mr. Stewart—An act to amend Section 8624 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1236: By Mr. Stewart—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1237: By Mr. Stewart—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1238: By Mr. Stewart—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1239: By Mr Stewart—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1240: By Mr. Stewart—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor

Referred to Committee on Public Health.

Assembly Bill No. 1241: By Mr Stewart—An act to amend Sections 18532, 18537 18803 18903, 18950, 19054, 19100, 19120, 19503, 19570, 19572, 19575, 19582, and to repeal Sections 18598 and 18599 of the Government Code, relating to state employment and disciplinary proceedings

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1242: By Messrs. Stewart, Brown, and Waters—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1243: By Mr. Stewart—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1244: By Mr. Stewart—An act to repeal Sections 18150, 18151, 18152, 18153, 18154, 18155, 18156, 18157, and 18158 of the Government Code, relating to an obsolete oath requirement for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1245: By Mr. Stewart—An act to amend Sections 18021, 18573, 18854, 18859, and 19538 of the Government Code, relating to salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1246: By Messrs. Stewart, Brown, and Waters—An act to amend Section 3480 of the Political Code, relating to reclamation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1247: By Mr. Sherwin—An act making an appropriation to the California Office of Civil Defense, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1248: By Mr. Sam L. Collins—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1249: By Mr Fleury—An act to amend Sections 14376.3 and 14610 of the State Teachers' Retirement Law, relating to other employment by members of the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1250: By Messrs Lindsay, Hansen, Moss, Cloyed, and Kirkwood—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

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

Assembly Bill No. 1251: By Mr. Levering—An act to amend Sections 101 and 102 of the Welfare and Institutions Code, relating to the State Social Welfare Board, to increase the membership of the board to nine persons.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1252: By Mr. Levering—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1253: By Mr. Levering—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1254: By Mr. Fleury—An act to amend Sections 6060, 6060.6 and 6060.7 of the Business and Professions Code, relating to requirements for admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1255: By Messrs. Fleury and Moss—An act to amend Sections 5517 and 5518 of the Welfare and Institutions Code, relating to sexual psychopaths and providing for their return to court from state hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 1256: By Messrs. Fleury and Moss—An act to amend Sections 20024, 20025.2, 20105, 20107, 20165, 20208, 20303, 20304, 20393, 20523, 20524, 20602, 20602.5, 20602.7, 20603, 20603.1, 20603.2, 20606, 20607, 20607.5, 20611, 20652, 20654, 20654.6, 20654.9, 20655, 20656, 20754, 20863, 20890, 20921.1, 20922, 21023, 21028, 21204, 21250, 21300, 21331, 21360, 21361, 21362, 21453 of the Government Code, to amend and renumber Section 21262 thereof (as added by Chapter 1498 of the Statutes of 1949), to repeal Sections 20654.7 and 21030 thereof, and to add Sections 20609.2, 20655.1, 21257.2, and 21365.1 thereto, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1257: By Messrs. Fleury and Moss—An act to amend Section 20750.1 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state miscellaneous members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1258: By Messrs. Fleury and Moss—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2 of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1259: By Messrs. Fleury and Moss—An act to add Section 20338 to the Government Code, relating to the State Employees' Retirement System in respect to state college extension service teachers.

Referred to Committee on Education.

Assembly Bill No. 1260: By Messrs. Fleury and Moss—An act to amend Section 20750.4 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to warden members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1261: By Messrs. Fleury and Moss—An act to amend Section 20750.3 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to forestry members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1262: By Messrs. Fleury and Moss—An act to amend Section 20750.2 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state patrol members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1263: By Messrs. Fleury and Moss—An act to add Section 20130.2 to the Government Code and to amend Sections 20037, 20230, 20564, and 20867 thereof, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1264: By Mr. Lindsay—An act to amend Section 2893 of the Education Code, relating to the annexation of school districts.

Referred to Committee on Education.

Assembly Bill No. 1265: By Mr. Lindsay—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1266: By Mr. Lindsay—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1267: By Mr. Lindsay—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1268: By Mr. Belotti—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1269: By Mr. Belotti—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1270: By Mr. Belotti—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1271: By Mr. Belotti—An act to amend Sections 420, 421, 422, 422 3, and 422 5 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1272: By Mr. Belotti—An act to amend Section 177 of the Vehicle Code, relating to notices of sales by vehicle dealers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1273: By Mr. Belotti—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1274: By Mr. Belotti—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1275: By Mr. Caldecott—An act to amend Section 1855 of the Code of Civil Procedure, relating to the proving of the contents of lost or destroyed writings by use of photographic copies thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1276: By Mr. Caldecott—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 1277: By Mr. Caldecott—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns.

Referred to Committee on Judiciary.

Assembly Bill No. 1278: By Mr Caldecott—An act to amend Sections 19533, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, to add Section 19533.3 to, and repeal Section 19533.1 of, the Government Code, relating to layoff or demotion in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1279: By Messrs Maloney and Beck—An act to amend Sections 5081, 5082, 5084, and 5086 of, and to add Section 5066.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1280: By Mr. Dunn—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1281: By Mr. Lyon—An act to add Section 231 to the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1282: By Messrs. Dills, Burkhalter, and Morris —An act to amend the title to Chapter 3, Part 2, Division 2, and Sections 51, 120, 422, 640, and 643.1 of the Military and Veterans Code, relating to the militia.

Referred to Committee on Military Affairs.

Assembly Bill No. 1283: By Mr. Davis—An act to restrict the running of cats at large, for the protection of insectivorous birds; making the violation of this act a misdemeanor and providing the penalty therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 1284: By Mr. Davis—An act to add Section 705.5 to the Vehicle Code, relating to transportation of saw logs.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1285: By Mr. Davis—An act to add Section 60 to, and to amend Section 710 of, the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1286: By Mr. Davis—An act to amend Section 7651 of, and to repeal Sections 7453, 7454, 7455, and 7456 and Article 4, comprising Section 7916, of Chapter 6 of Part 2 of Division 2 of, the Revenue and Taxation Code, relating to returns and bonds under the Motor Vehicle Fuel License Tax Law.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1287: By Messrs. Dolwig and Geddes—An act to amend Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1288: By Mr Grant—An act to amend Section 20801 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1289: By Mr. Grant—An act to amend Section 20800 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1290: By Messrs. Grant and Klocksiem—An act to amend Section 18051 of the Education Code, relating to the letting of contracts by school districts.

Referred to Committee on Education.

Assembly Bill No. 1291: By Messrs. Grant and Klocksiem—An act to amend Section 5901 of the Education Code, relating to school district emergency cash funds.

Referred to Committee on Education.

Assembly Bill No. 1292: By Mr. Waters—An act to add Section 28021.5 to the Government Code, relating to the classification of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1293: By Mr. Waters—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

Referred to Committee on Judiciary.

Assembly Bill No. 1294: By Mr. Waters—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1295: By Mr. Waters—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1296: By Mr. Kelly—An act to repeal Sections 2 and 3 of the act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections, to provide for use of property acquired under the said act by the Department of Corrections as a penal institution for men, and revoking authority for transfer of the California Institution for Women.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1297: By Mr Kelly—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Referred to Committee on Judiciary.

Assembly Bill No. 1298: By Mr. Kelly—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1299: By Mr. Luckel—An act to amend Section 195 of the Vehicle Code, relating to chattel mortgages on vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1300: By Mr. Luckel—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1301: By Mr. Luckel—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1302: By Mr. Luckel—An act to amend Sections 697, 699, and 701 of the Vehicle Code, relating to height and length, loads and towing of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1303: By Mr. Luckel—An act to add Section 739.3 to, and to amend Sections 741 and 755 of, the Vehicle Code, relating to procedure after arrest.

Referred to Committee on Judiciary.

Assembly Bill No. 1304: By Mr. Burkhalter—An act to amend Sections 20100 and 20101 of the Government Code, relating to the State Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1305: By Messrs. Burkhalter, Davis, Cooke, Dills, and Kilpatrick—An act to amend Section 690 of the Elections Code, relating to compensation of members of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1306: By Messrs. Burkhalter and Lindsay—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1307: By Messrs. Burkhalter, Davis, Lindsay, and Erwin—An act to amend Section 37.2 of the Fish and Game Code, relating to bounties.

Referred to Committee on Fish and Game.

Assembly Bill No. 1308: By Mr. McCarthy—An act to amend Section 4 of the Public Utilities Act, relating to the appointment of an attorney at law to act as attorney for the Public Utilities Commission, prescribing his authority and duties and prescribing and fixing the compensation to be paid to said attorney for services rendered by him.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1309: By Mr. McCarthy—An act to amend Section 10 of the Public Utilities Act relating to the commissioners, officers, and employees of the Public Utilities Commission, their qualifications and salaries.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1310: By Mr. Smith—An act to amend Section 1714 of, and to add Section 3333.1 to the Civil Code, relating to responsibility for negligence.

Referred to Committee on Judiciary.

Assembly Bill No. 1311: By Mr. Davis—An act to add Part 7 to Division 5 of the Labor Code, relating to safety in forest products industries.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1312: By Mr. Elliott—An act to amend Section 2505 of the Welfare and Institutions Code, relating to work performed by recipients of general relief.

Referred to Committee on Social Welfare.

Assembly Bill No. 1313: By Mr. Elliott—An act to alleviate conditions caused by the presence in this State of large numbers of persons in the Armed Forces by providing recreational facilities therefor, and to make an appropriation.

Referred to Committee on Military Affairs.

Assembly Bill No. 1314: By Mr. Hollibaugh—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent.

Referred to Committee on Judiciary.

Assembly Bill No. 1315: By Messrs. Geddes, Stewart, Lanterman, Morris, Burke, Burkhalter, Collier, Doyle, Grant, Klocksiem, and McMillan—An act to amend and renumber Section 25561 of the Government Code added to said code by an act entitled "An act to add Section 4041.5a to the Political Code and Section 25561 to the Government Code, relating to the power of the board of supervisors to provide operas and other entertainment," approved July 10, 1947, relating to powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 457

Mr. Connolly moved that Assembly Bill No. 457 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Agriculture.

Motion carried.

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

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

Assembly Bill No. 1316: By Messrs. Geddes and Dunn—An act to amend Sections 10752 and 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1317: By Mr. Crowley—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

Referred to Committee on Education.

Assembly Bill No. 1318: By Mr. Crowley—An act to add Section 222.6 to the Labor Code, relating to wages

Referred to Committee on Industrial Relations.

Assembly Bill No. 1319: By Messrs. Belotti and Brown—An act providing for the constitution of municipal courts in districts in Humboldt County, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1320: By Messrs. Belotti and Brown—An act providing for the constitution of municipal courts in districts in Mendocino County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1321: By Messrs. Belotti and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Eureka, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1322: By Messrs. Belotti and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Ukiah, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1323: By Messrs. Coats and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Oroville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1324: By Messrs. Coats and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Chico, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1325: By Messrs. Coats and Brown—An act providing for the constitution of municipal courts in districts in Butte County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1326: By Messrs. Crowley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1327: By Messrs. Crowley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Napa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1328: By Messrs. Crowley and Brown—An act providing for the constitution of municipal courts in districts in Solano County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1329: By Messrs. Crowley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Fairfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1330: By Messrs Crowley and Brown—An act providing for the constitution of municipal courts in districts in Napa County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1331: By Messrs. Lindsay and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Auburn, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1332: By Messrs. Lindsay and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Roseville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1333: By Messrs. Lindsay and Brown—An act providing for the constitution of municipal courts in districts in Placer County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1334: By Messrs. McCollister and Brown—An act providing for the constitution of municipal courts in districts in Sonoma County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1335: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Rafael, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1336: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Sausalito, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1337: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of San Anselmo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1338: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Mill Valley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1339: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Rosa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1340: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Petaluma, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1341: By Messrs. McCollister and Brown—An act providing for the constitution of municipal courts in districts in Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1342: By Messrs. Fleury, Moss, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1343: By Messrs. Moss, Fleury, and Brown—An act providing for the constitution of municipal courts in districts in Sacramento County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1344: By Messrs. Moss, Fleury, and Brown—An act providing for the constitution of the municipal court in a distrtict embracing the City of Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1345: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1346: By Messrs. Condon and Brown—An act providing for the constitution of municipal courts in districts in Contra Costa County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1347: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Walnut Creek, and prescribing the number and compensation to the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1348: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Pablo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1349: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Cerrito, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1350: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Martinez, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1351: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Concord, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1352: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Antioch, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1353: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Pittsburg, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1354: By Messrs. Parker and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1355: By Messrs. Dunn and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hayward, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1356: By Messrs. Dickey, Dunn, Caldecott, Rumford, Brown, Lincoln, and Sherwin—An act providing for the constitution of municipal courts in districts in Alameda County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1357: By Messrs. Dickey, Dunn, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Leandro, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1358: By Messrs. Dickey, Caldecott, Rumford, Lincoln, Brown, Dunn, and Sherwin—An act providing for the constitution of the municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1359: By Messrs Dickey and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1360: By Messrs. Caldecott, Rumford, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1361: By Messrs Maloney, Connolly, Meyers, Brown, and George D. Collins—An act providing for the constitution of the municipal court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1362: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Burlingame, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1363: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Bruno, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1364: By Messrs. Dolwig and Brown—An act providing for the constitution of municipal courts in districts in San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1365: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1366: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1367: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Daly City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1368: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1369: By Messrs. Kirkwood and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Palo Alto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1370: By Messrs. Kirkwood and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Sunnyvale, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1371: By Messrs. Kirkwood and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1372: By Messrs. Kirkwood, Gubser, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Clara, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1373: By Messrs. Gubser and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1374: By Messrs. Gubser and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Los Gatos, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1375: By Messrs. Gubser, Kirkwood, and Brown—An act providing for the constitution of municipal courts in districts in Santa Clara County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1376: By Mr. Brown—An act providing for the constitution of municipal courts in districts in Stanislaus County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1377: By Mr. Brown—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1378: By Mr. Brown—An act providing for the constitution of the municipal court in a district embracing the City of Turlock, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1379: By Messrs. Clarke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Merced, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1380: By Messrs. Clarke and Brown—An act providing for the constitution of municipal courts in districts in Merced County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1381: By Messrs. Grunsky and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Watsonville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1382: By Messrs. Grunsky and Brown—An act providing for the constitution of the municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1383: By Messrs. Grunsky and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Cruz, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1384: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Luis Obispo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1385: By Messrs. Silliman and Brown—An act providing for the constitution of municipal courts in districts in Monterey County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1386: By Messrs. Silliman and Brown—An act providing for the constitution of municipal courts in districts in San Luis Obispo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1387: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Pacific Grove, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1388: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Carmel, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1389: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1390: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Monterey, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1391: By Messrs. Hansen, Henderson, and Brown—An act providing for the constitution of municipal courts in districts in Fresno County, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1392: By Messrs. Hansen, Henderson, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1393: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hanford, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1394: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Visalia, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1395: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Tulare, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1396: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Porterville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1397: By Messrs. Hagen and Brown—An act providing for the constitution of municipal courts in districts in Kings County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1398: By Messrs. Hagen and Brown—An act providing for the constitution of municipal courts in districts in Tulare County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1399: By Messrs. Tomlinson and Brown—An act providing for the constitution of municipal courts in districts in Santa Barbara County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1400: By Messrs. Tomlinson and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Barbara, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1401: By Messrs. Cooke and Brown—An act providing for the constitution of municipal courts in districts in Ventura County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1402: By Messrs. Cooke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Buenaventura, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1403: By Messrs. Cooke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Oxnard, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1404: By Messrs. Cooke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Paula, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1405: By Messrs. Kelly and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1406: By Messrs. Kelly and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Taft, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1407: By Messrs. Kelly and Brown—An act providing for the constitution of municipal courts in districts in Kern County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1408: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1409: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in Los Angeles County and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1410: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1411: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in districts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1412: By Messrs. Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1413: By Messrs. Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embrac- the Town of Garvey, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1414: By Messrs Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embrac- embracing the City of Maywood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1415: By Messrs. Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of East Los Angeles, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1416: By Messrs. Burke, Beck, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Fernando, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1417: By Messrs. Burkhalter and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Burbank, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1418: By Messrs. Smith and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Glendale, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1419: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Inglewood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1420: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Segundo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1421: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hawthorne, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1422: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Redondo Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1423: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Manhattan Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1424: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hermosa Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1425: By Mr. Stewart—An act providing for providing for the constitution of the municipal court in a district embracing the City of Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1426: By Messrs. Lanterman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Sierra Madre, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1427: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Azusa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1428: By Messrs Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Claremont, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1429: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of La Verne, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1430: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Glendora, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1431: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Arcadia, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1432: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Monrovia and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1433: By Messrs Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Pomona, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1434: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Temple City, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1435: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Rosemead, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1436: By Messrs. Erwin, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1437: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Monte, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1438: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the City of West Covina, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1439: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Covina, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1440: By Messrs. Munnell, Brown, and Rosenthal—An act providing for the constitution of the municipal court in a district embracing the Town of Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1441: By Messrs. Munnell, Brown, and Rosenthal—An act providing for the constitution of the municipal court in a district embracing the Town of Belvedere Gardens, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1442: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the town of Bell Gardens, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1443: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Huntington Park, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1444: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Bell, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1445: By Messrs. Hollibaugh, Brown and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Vernon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1446: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Gabriel, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1447: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of South Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1448: By Messrs Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Marino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1449: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Monterey Park, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1450: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Alhambra, and prescribing the number and compensation of the judges, officers and attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 1451: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Wilmar, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1452: By Messrs Levering and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Monica, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1453: By Messrs. McMillan and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Culver City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1454: By Messrs Dills and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Gardena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1455: By Messrs. Thomas, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Torrance, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1456: By Messrs. Thomas and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Palos Verdes Estates, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1457: By Messrs. Porter, Brown, and Rosenthal—An act providing for the constitution of the municipal court in a district embracing the Town of Belleflower, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1458: By Messrs. Porter, Brown, and Rosenthan—An act providing for the constitution of the municipal court in a district embracing the City of South Gate, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1459: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Lynwood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1460: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Downey, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1461: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Artesia, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1462: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Compton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1463: By Messrs. Grant, Klocksiem, and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Lakewood Village, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1464: By Messrs. Grant, Klocksiem, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Long Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1465: By Messrs. Grant, Klocksiem, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Signal Hill, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1466: By Messrs. Shaw and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1467: By Messrs. Shaw and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Ontario, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1468: By Messrs. Shaw and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Upland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1469: By Messrs. Shaw and Brown—An act providing for the constitution of municipal courts in districts in San Bernardino County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1470: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of municipal courts in districts in Orange County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1471: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Seal Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1472: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1473: By Messrs Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Anaheim, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1474: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1475: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Orange, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1476: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Huntington Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1477: By Messrs. Babbage and Brown—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1478: By Messrs. Babbage and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Riverside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1479: By Messrs. Butters and Brown—An act providing for the constitution of municipal courts in districts in Imperial County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1480: By Messrs. Butters and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Centro, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1481: By Mrs. Niehouse and Mr. Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Diego, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1482: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Escondido, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1483: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Oceanside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1484: By Messrs. Cloyed and Brown—An act providing for the constitution of municipal courts in districts in San Diego County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1485: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of National City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1486: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Chula Vista, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1487: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Cajon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1488: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of La Mesa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1489: By Messrs. George D. Collins, Caldecott, and Brady—An act to amend Section 11 of the Deadly Weapons Control Law, relating to the sale at retail of firearms capable of being concealed upon the person.

Referred to Committee on Judiciary.

Assembly Bill No. 1490: By Messrs. George D. Collins, Caldecott, and Brady—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Referred to Committee on Judiciary.

Assembly Bill No. 1491: By Mr. Silliman—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500 3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1492: By Messrs. Doyle, Erwin, and Butters—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto.

Referred to Committee on Fish and Game

Assembly Bill No. 1493: By Messrs. Kilpatrick, Burke, Burkhalter, George D. Collins, and Meyers—An act to add Section 1045 to the Penal Code, relating to evidence in criminal proceedings.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 17: By Messrs. Thomas, Doyle, Burkhalter, Rosenthal, Dills, Elliott, Hawkins, and McMillan—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Article XXVIII, relating to the establishment and government of boroughs in cities and cities and counties.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 18: By Mr. Stewart—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENTS

Speaker Sam L Collins announced that Mrs. Dolly Smith, Secretary to the Chief Clerk, is ill with influenza, and expressed, on behalf of the Members of the Assembly, best wishes for her immediate recovery.

Speaker Sam. L. Collins announced that Joseph E. Burke, brother of Assemblyman Burke, passed away last evening in Lafayette, Louisiana, and expressed condolences to Mr. Burke on behalf of the Members of the Assembly.

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

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

Assembly Bill No. 1494: By Mr. Elliott—An act to add Section 27472 to the Government Code, relating to deceased persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1495: By Messrs. Burke and Rosenthal—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Referred to Committee on Judiciary.

Assembly Bill No. 1496: By Mr. McFall—An act to amend Section 737mm of the Political Code and Section 79 39 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 1497: By Messrs. Smith and Erwin—An act making an appropriation for the drug and oil plant project at California Polytechnic School.

Referred to Committee on Agriculture.

Assembly Bill No. 1498: By Mr. Levering—An act to amend Section 6 of the Unemployment Insurance Act, relating to unemployment and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1499: By Messrs Moss and Fleury—An act to add Section 11152.1 to the Government Code, relating to nomenclature in state departments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1500: By Mr. Morris—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence.

Referred to Committee on Social Welfare.

Assembly Bill No. 1501: By Mr. Babbage—An act to amend Section 14084 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1502: By Mr. Babbage—An act to amend Section 836 of the Penal Code, relating to arrests by peace officers.

Referred to Committee on Judiciary.

ANNOUNCEMENTS

Mr. Beck announced that he is holding a Control Bill at his desk which relates to the state-wide registration of Communists, as being recommended by the Subcommittee on Communism, Un-American Activities, and Sabotage, and that anyone desiring to be a co-author may come to his desk, and affix his name to the bill.

Mr. Geddes announced that he is holding a request bill at his desk, written in response to a petition from hundreds of people, asking for enactment of compulsory insurance, and that anyone desiring to be a co-author on said bill may come to his desk, and affix his signature.

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

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

Assembly Bill No. 1503: By Mr. Babbage—An act to add Section 43.5(b) to the Penal Code, relating to liability of peace officers making arrests.

Referred to Committee on Judiciary.

Assembly Bill No. 1504: By Messrs. Rumford and Connolly—An act to add Chapter 2.5 consisting of Sections 5300 to 5302 to Part 1 of Division 6 of and to add Section 5250.5 to the Welfare and Institutions

Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1505: By Mr. Rumford—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Referred to Committee on Public Health.

Assembly Bill No. 1506: By Mr. Kilpatrick—An act restricting the use of assumed or fictitious names.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mrs. Niehouse asked for, and was granted, unanimous consent that the Committee on the Study of the Old Age Assistance Initiative Measure be permitted to use the Assembly Chamber on Thursday, January 18th, at 8 p.m., for the purpose of holding a public hearing on this matter.

RECESS

At 11.53 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

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

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

Assembly Bill No. 1507: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Chapter 9.1 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of water well drillers.

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

Assembly Bill No. 1508: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Section 7053 of the Business and Professions Code, relating to the regulation of contractors, and exemption therefrom.

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

Assembly Bill No. 1509: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7075.5 to Chapter 7 of Division 4 of the Water Code, relating to water wells.

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

Assembly Bill No. 1510: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Section 7048 of the Business and Professions Code, relating to contractors.

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

Assembly Bill No. 1511: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7027 to, and to amend Section 7049 of, the Business and Professions Code, relating to the construction of water wells.

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

Assembly Bill No. 1512: By Messrs Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7076.1 to the Water Code, relating to water wells.

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

Assembly Bill No. 1513: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Section 7076 of the Water Code, relating to water wells.

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

Assembly Bill No. 1514: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7075.3 to Chapter 7, Division 4 of the Water Code, relating to water wells.

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

Assembly Bill No. 1515: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 276 to the Water Code, relating to quality of underground waters, declaring the urgency thereof, to take effect immediately.

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

Assembly Bill No. 1516: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Sections 13052.1 and 13052 2 to the Water Code, relating to the control of water pollution.

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

Assembly Bill No. 1517: By Messrs Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Sections 13020, 13052, 13054, and 13064 of the Water Code, relating to the control of water pollution.

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

Assembly Bill No. 1518: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 3 5 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans to municipalities and districts for sewerage and storm drainage facilities.

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

Assembly Bill No. 1519: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, McCollister, Silliman, and Smith—An act making an appropriation to be expended in making loans to municipalities and districts for sewerage and storm drainage facilities.

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

Assembly Bill No. 1520: By Mr. McCarthy—An act to add Sections 2842 5 and 2842.6 to the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1521: By Mr. Geddes—An act to amend Section 1672 of the Insurance Code, relating to the issuance of licenses to act an insurance brokers or agents to nonresidents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1522: By Mr. Geddes—An act to amend Section 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1523: By Mr. Geddes—An act to amend Sections 202 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1524: By Mr. Geddes (By Request)—An act to add Chapter 12 to Division 2 of the Business and Professions Code, relating to the certification and regulation of psychologists and creating a State Board of Psychologists.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1525: By Messrs. Burkhalter, Brady, Evans, Munnell, and Rosenthal—An act to add Sections 2162 to the Civil Code, relating to telephone messages.

Referred to Committee on Judiciary.

Assembly Bill No. 1526: By Mr. Stewart—An act to add Section 8652 to the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1527: By Mr. Lindsay—An act relating to the use and occupation of real property lying within the lines of public improvements adopted as precised plans under the Conservation and Planning Act, restricting the use of property within such lines, and prescribing the powers and duties of certain public officers in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1528: By Messrs. Gubser and Kirkwood—An act to repeal Sections 6654, 5105.5, and 5105.6 of the Welfare and Institutions Code, relating to reports by district attorneys and orders of committing courts concerning the financial ability of persons committed to state hospitals or their relatives to pay the cost of care, maintenance or transportation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1529: By Messrs. Gubser and Kirkwood—An act to amend Section 5050 3 of, and to add Sections 6604 and 6604.1 to, the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Referred to Committee on Social Welfare.

Assembly Bill No. 1530: By Messrs. Gubser and Kirkwood—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Referred to Committee on Social Welfare.

Assembly Bill No. 1531: By Messrs. Gubser and Kirkwood—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code and to amend and renumber Section 5701 5 thereof to be Section 6726 5, relating to private family care homes and the support of mental patients therein, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 1532: By Messrs. Gubser and Kirkwood—An act to amend Section 5701 of and to add Section 5701.3 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1533: By Messrs. Gubser and Kirkwood—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and court orders in determining the mental health of a person alleged or found to be mentally ill.

Referred to Committee on Social Welfare.

Assembly Bill No. 1534: By Messrs. Gubser and Kirkwood—An act to amend Section 2175 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

Assembly Bill No. 1535: By Messrs. Gubser and Kirkwood—An act to amend Section 6660.5 of the Welfare and Institutions Code, relating to the safekeeping of the property of patients of the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

Assembly Bill No. 1536: By Mr. Shaw—An act to create an Advisory Council on Affairs of the Handicapped.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1537: By Mr. George D. Collins—An act to add Sections 964 to 972, inclusive, and Sections 972.1, 972.2, and 972.3 to the Code of Civil Procedure, relating to appeals to the Supreme Court and district court of appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 1538: By Mr. Lincoln—An act to amend Section 7031 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1539: By Mr. Dickey—An act to amend Sections 1, 2, 3, and 5 of, and to add Sections 3.5 and 4 5 to, an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans to, and purchase of bonds of, municipalities and districts for sewerage and storm drainage facilities.

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

Assembly Bill No. 1540: By Mr. Dickey—An act to amend Section 2500 of the Water Code, relating to determination of water rights.

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

Assembly Bill No. 1541: By Messrs. Connolly, Lipscomb, and Lincoln—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1542: By Mr. McCarthy—An act to amend Section 1325 of the Penal Code, relating to immunity of witnesses from criminal prosecution.

Referred to Committee on Judiciary.

Assembly Bill No. 1543: By Mr. McCarthy—An act to amend Section 879 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1544: By Mr. Lipscomb—An act to amend Sections 5081 and 5083 of the Business and Professions Code, relating to the practice of accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1545: By Mr. Lipscomb—An act to amend Section 5053 of the Business and Professions Code, relating to the State Board of Accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1546: By Mr. Condon—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Assembly Bill No. 1547: By Mr. Condon—An act to add Section 124.5 to the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1548: By Mr. Condon—An act to amend Section 92 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 1549: By Mr. Condon—An act to amend Section 19622 and to repeal Section 19626.5 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 1550: By Mr. Condon—An act to amend Section 860 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1551: By Mr. Condon—An act to add Sections 860.2, 880.2, and 903.2 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1552: By Mr. Condon—An act to add Section 4 to the General Provisions of the Fish and Game Code, relating to the state policy on restrictions on fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1553: By Mr. Condon—An act to add Sections 860.1, 880.1, and 903 1 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1554: By Mr. Condon—An act to add Sections 866, 880 5, and 903.5 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1555: By Mr. Condon—An act to amend Section 725 of the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1556: By Mr McCollister—An act to amend Section 986 5 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 1557: By Mr. Dunn—An act to amend Section 1 of "An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved July 16, 1935, relating to motor transportation brokers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1558: By Mr. Dunn—An act to amend Section 2 of the Highway Carriers' Act, relating to the transportation of property for compensation over the public highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1559: By Mr. Dunn—An act to amend Section 7¼ of the City Carriers' Act, relating to the transportation of property for compensation over the public streets and highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1560: By Messrs. Dunn and McCollister—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1561: By Mr. Dunn—An act to add Section 5050 3 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1562: By Messrs. Geddes and Dunn—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 1563: By Messrs. Smith and Lipscomb—An act to provide for the installation of grade separation crossings in the County of Los Angeles, and making an appropriation therefor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1564: By Messrs. McCarthy and Gaffney—An act to repeal Section 208 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

APPOINTMENTS ANNOUNCED

Speaker Sam L. Collins announced the appointment of Messrs. Dolwig, Chairman, Belotti, Smith, Rosenthal, and Brady to membership on the Special Committee on Legislative Representation, pursuant to the provisions of Chapter 8, Part 1, Division 2, of Title 2, Section 9909 of the Government Code, which became effective July 15, 1950, and Rule No. 21 of the 1951 Standing Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

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

Assembly Joint Resolution No. 3

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 38—An act making an appropriation for purpose of increasing salaries of state employees, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 38:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 17, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 38, "An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This measure makes an appropriation from the General Fund of $3,679,652 and an estimated appropriation of $939,154 from special funds to provide a one-step salary increase for state employees effective January 1, 1951. This increase has been recommended by the State Personnel Board as being equitable and justified because of increased costs of living.

I therefore recommend consideration of Assembly Bill No. 38 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Motion to Amend

Messrs. Fleury and Moss moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "three million six"; strike out all of line 3; and in line 4, strike out "($3,079,652)", and insert "seven million eighty-seven thousand sixty-five dollars ($7,087,065)".

Amendment read.

Demand for Previous Question

Messrs. Hinckley, Conrad, Collier, Silliman, and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Messrs. Fleury and Moss to Assembly Bill No. 38.

Roll Call Demanded

Messrs. Fleury, Moss, and McFall demanded a roll call.

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

AYES—Beck, Belotti, Brady, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Gubser, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—47.

NOES—Babbage, Burke, Butters, Cloyed, Collier, Connolly, Conrad, Erwin, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, McCarthy, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—30.

Bill ordered reprinted, and re-engrossed.

Assembly Concurrent Resolution No. 10—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the seventh day of November, 1950.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINIONS FROM LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that opinions of the Legislative Counsel, relative to Election Contests—No. 3986; Contested Election of Assembly Member—No. 3701; Power of Assembly With Respect to Elections and Qualifications of Members—No. 3704; and Contest of Election of Member of Assembly—No. 3842, be ordered printed in the Journal in 10-point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 11, 1951

Hon. Laughlin E. Waters
Assembly Chamber

ELECTION CONTESTS—No. 3986

DEAR MR. WATERS: You have asked us to examine the papers filed in the contest of the election for the seat for the Eleventh Assembly District and to advise you whether or not they state sufficient grounds for the contest.

There is no specification in the Constitution or in the statutes as to what constitutes a ground for a contest before the Legislature.

The Constitution provides that "Each house shall choose its officers and judge the qualifications, elections, and returns of its members." (Sec. 7, Art. IV, Calif. Const.) The Constitution further provides that "Each house shall determine the rule of its proceeding * * *" (Sec. 9, Art. IV, Calif. Const.)

There are no other provisions in the Constitution which operate to limit the generality of the provisions above referred to.

Each house, therefore, is the sole judge of the sufficiency of the grounds of any contest brought before it. Its discretion is not subject to control by action of the Judicial or Executive Branches of the government.

There is, therefore, no legal yardstick against which the grounds stated may be measured in order to determine their sufficiency.

We do not think that it would be appropriate to apply the same tests as are prescribed by statute for contests conducted in the courts. In the first place no statute previously enacted could bind the present House in the exercise of its constitutional prerogatives. In the second place, contests conducted pursuant to statute must follow strictly the statutory requirements (*Freshour* vs. *Howard*, 142 Cal. 501) whereas in a contest before the House there are no prescribed grounds or procedure.

If, however, the House should, in its discretion, desire to proceed by analogy from the statutory procedure there appears to be no statutory ground which covers the situation exactly but there is one which, by extension, could be adapted to it.

We will assume for the purposes of the following discussions that all of the facts represented by the petitioner are found by the House to be true.

The essence of the petitioners representations is that certain pamphlets were altered so as to indicate that a certain organization sponsored

the candidacy of the person declared elected, whereas in fact the organization sponsored the candidacy of the petitioner. There is no representation that the person declared elected circulated the altered pamphlets or caused them to be circulated. It is represented, however, that such person was informed of the facts and made no public statement concerning the alteration nor any repudiation of the actions of the persons responsible therefor but continued to accept the benefits of the fraudulent representations.

This does not quite make out a case under the code provisions hereinafter discussed but the House could, in its discretion, draw something of an analogy from it.

Under Section 8511 of the Elections Code one of the grounds for contesting a general election is that the defendant (the contestee) has committed an offense against the elective franchise as defined in Chapter 3 of Division 7 of the code.

That chapter includes Section 5005 which reads:

> "5005. Every person is guilty of a misdemeanor who intentionally writes, prints, posts, or distributes, or causes to be written, printed, posted, or distributed, any circular, pamphlet, letter, or poster which is designed or intended to injure or defeat any candidate for nomination or election to any public office by reflecting upon his personal character or political action, unless there appears upon the circular, pamphlet, letter, or poster, in a conspicuous place, either:
>
> "(a) The name of the chairman and secretary or the names of two officers at least of the political or other organization issuing it.
>
> "(b) The name and residence, with the street and number thereof, if any, of some voter of this State, who is responsible therefor."

The circulation of the altered pamphlet could be considered as coming within the purview of this section because the pamphlet *as altered* did not comply with subdivisions (a) or (b). The names shown in the pamphlet were of those who were responsible for it in its original form. As altered it became a different document and there is nothing to show who was responsible for the document.

The code section applies to any person who does the things mentioned or causes them to be done. All that is represented is that the person declared elected stood by while the things were being done and took whatever benefits resulted. This is not quite the same thing but the House, in its discretion, could determine that such passive acquiescence in the wrongdoing was equivalent to actual participation.

The code section provides that the writing must be designed or intended to injure or defeat the candidate by reflecting on his personal character or "political action." Any reflection on the petitioner's personal character appears somewhat remote. What constitutes a reflection upon "his political action" is somewhat obscure. If the House pursues the analogy it could interpret the provision as it saw fit.

The House could take the view that the implication from the altered pamphlet was that petitioner originally had the support of the organization in question, as evidenced by the printing of his name on the original

pamphlets, and that after such printing he had lost such support, as evidenced by the alterations. It could infer that such putative loss of support resulted from some political action which affronted the organization.

As pointed out above the analogy is far from perfect. However, the House need not proceed by analogy and if it chooses to do so it can draw any analogy it chooses, regardless of how exact or remote it may be.

There seems to be no question whatever that the power of the House to judge the qualifications and election of its members is one which is to be exercised by it solely at its discretion. Only yesterday, January 10, 1951, the Supreme Court of California reiterated this principle in the case entitled "In the Matter of the Contest of the Nomination of Patrick D. McGee."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 6, 1951

Hon. Laughlin E. Waters
Assembly Chamber

CONTESTED ELECTION OF ASSEMBLY MEMBER—No. 3701

DEAR MR. WATERS: Pursuant to your request we enclose a memorandum regarding contested elections of Members of the Assembly.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 6, 1951

PROCEDURE BY THE ASSEMBLY TO DETERMINE ELECTION CONTEST

Section 7 of Article IV of the Constitution provides in part that each house shall be judge of the qualifications, elections, and returns of its members, and Section 9 of Article IV provides that each house shall determine the rules of its proceeding.

In view of these constitutional provisions the question whether a person holding a certificate of election as a Member of the Assembly is entitled to a seat in that body and the manner in which that question is to be determined by the body is left entirely to the will of the House as expressed by the actions of a majority thereof.

The provisions of the Government Code relating to the manner of organization of the Assembly are, we believe, merely directory and do not control the actions of the Assembly once the members have qualified by taking their oaths of office. Also the legislative precedents established heretofore serve only as guideposts and are not binding as to future actions.

The right to a seat in the Assembly of a person holding a certificate of election as a member may be challenged in any manner in which a

question may be brought to vote by that body under the rules of parliamentary procedure. When such situations have arisen in the past it has been the practice to adopt special rules for consideration of the question.

The latest election contest in either house was in the Senate in 1937. The proposed rules governing the trial of the contest appear commencing on page 16 of the Senate Journal for January 4, 1937. Briefly, the rules provided for the appointment of a committee to take testimony and prescribed the procedure to be followed by the committee, and for a report of the findings and conclusions of the committee to the house. This report was then to be adopted or rejected by the house by majority vote and provision was made that the vote of a member whose right to a seat was challenged should not be counted in connection therewith. Provision was made permitting the contestee to take his oath which was declared to be without prejudice to the rights of the contestant.

At that time there were certain provisions in the Political Code regarding contests of election of Members of the Legislature. Those provisions, however, were repealed at the 1937 Session The only relevant statutory provision in the present law appears to be Section 9021 of the Government Code which provides that a certificate of election is prima facie evidence of the right to membership.

See also the memorandum from the Legislative Counsel regarding election contests printed in the 1937 Senate Journal commencing on page 18.

It appears to be the general parliamentary practice as well as the practice in the houses in California to permit the contestee to take the oath of office regardless of whether he may later be determined not entitled to a seat. However, this also is a matter to be determined by the House. Further, even though the House refused to permit the contestee to take the oath in its presence this would not prevent him from taking it elsewhere before any authorized officer.

While the precedents support the practice of permitting the contestee to take the oath and thereafter to sit and act as a member and to vote on all matters except those pertaining to the contest, we think it is entirely within the discretion of the House to what extent it may elect to restrict the powers of the contestee prior to determination of the contest. We believe the House could go so far as to exclude the contestee from the floor entirely until the contest is determined if it should adopt a motion to that effect.

RALPH N KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 7, 1951

Hon. Laughlin E. Waters
Assembly Chamber

POWER OF ASSEMBLY WITH RESPECT TO ELECTIONS AND QUALIFICATIONS OF MEMBERS—No. 3704

DEAR MR. WATERS: You have asked us to inform you as to the circumstances under which the Assembly may refuse to seat a member.

Section 7 of Article IV of the Constitution provides that each house shall "judge of the qualifications, elections, and returns of its members." This provision vests each house with the exclusive power to determine these matters. (*Allen* vs. *Lelande,* 164 Cal. 56).

It is impossible in the time allotted to us to give a comprehensive answer as to all the cases which have, or properly may, present facts sufficient to justify the exercise by a legislative body of its exclusive power to refuse to seat, or to expel, a member.

What constitutes ground for removal or suspension or refusal to seat a Member of the Assembly in any given case is for that body to decide. It is not a matter for inquiry on the part of the Judicial Department and judicial decisions do not furnish a guide. In deciding such a question it is the practice of a legislative body to consider what cases and under what circumstances the same or other legislative bodies have acted.

The case of *French* vs. *Senate,* 146 Cal. 604, reveals that the Senate had exercised its power to expel a member where it found that the member had accepted bribes to influence his vote.

While not revealing legislative action, the case of *Allen* vs. *Lelande,* 164 Cal. 56, indicates the belief of the Judiciary that the Assembly should determine election contests based on the claim that a member did not meet the requirements of Section 7 of Article IV of the Constitution which provides the member must have resided in the district one year next before his election.

Any case where it is alleged that the member's conduct has disqualified him from holding public office by virtue of a provision of the Constitution (*see,* for example, Art. IV, Sec. 35; Art. IV, Sec. 19) or by virtue of any statute (*see,* for example, Government Code Sections 1021, 1023) would be a case in which the Assembly could properly consider exercising its exclusive power to judge its members.

Numerous instances have arisen in the House of Representatives of the United States Congress wherein the right of a member to a seat, because of matters relating to elections, has been considered.

Random examples are contests on the ground: That the member elected had shown disloyalty by wearing the Confederate Army uniform (Hinds, *Precedents of the House of Representatives,* Vol. 1, Sec. 335); that the election was invalid because of violence in connection with the elections, *same,* Vol. 1, Sec. 329, 331); that the member was below the

age prescribed by the Constitution (*same,* Vol. 1, Sec. 418); that the member elect did not meet the residence requirements of the Constitution (*same,* Vol. 1, Sec. 432, 438); that the member held an inconsistent office (*same,* Vol. 1, Sec. 506); that election irregularities, including votes cast by disqualified persons were present in the election of the member (*same,* Vol. 2, Sec. 859); that there was fraud in the election return (*same,* Vol. 2, Sec. 860).

For briefs of numerous other contested election cases considered by the House, *see* Hinds, *Precedents of the House of Representatives,* Vol. 1, Sec. 309-755; Vol. 2, Sec. 845-1135.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By A. C. MORRISON, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 9, 1951

Hon. Laughlin E. Waters
Assembly Chamber

Contest of Election of Member of Assembly—No. 3842

DEAR MR. WATERS: You have asked whether there is any time limitation upon presentation of a petition relating to the propriety of the seating of a Member of the Assembly and as to the power of the Assembly to act on such a petition.

It is our opinion that there is no limitation upon the power of the Assembly to receive such a petition and to act upon it if it elects to do so.

The power of the Assembly to determine the election and qualification of its own members is vested in that body by the Constitution without limitation or restriction. We find nothing in the Constitution that purports to limit the time within which that body may act to determine this question.

While we have not been able, in the time available to do any extended research, we have found a statement in 49 *American Jurisprudence* at pages 251 and 252 that the power of a house to judge of the election and qualifications of its members is not exhausted when once it has been exercised and a member admitted to his seat; it is, on the contrary, a continuous power, and runs through the entire term. At any time, and at all times during the term of office, each house is empowered to pass on the present qualifications of its own members (citing *State* vs. *Gilmore,* 20 Kansas 551 27 Am. Rep. 189). We believe this to be a correct statement of the law.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 687—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

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

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.07 p.m., Mr. Tomlinson asked for, and was granted, unanimous consent to hold a special meeting of the Subcommittee on Elections and Reapportionment in Room 319, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 10

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

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 10, AS AMENDED IN SENATE, BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 10, as amended in the Senate, be ordered printed in the Journal as follows:

AMENDED IN SENATE JANUARY 11, 1951

Senate Concurrent Resolution No. 10

Introduced by Senator Powers

January 10, 1951

WITHOUT REFERENCE TO COMMITTEE

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly ~~*committees and committee meetings*~~.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following Rules be adopted as the Joint Rules of the Senate and Assembly for the 1951 Regular Session of the California Legislature.

JOINT RULES OF THE SENATE AND ASSEMBLY COMMITTEES AND COMMITTEE MEETINGS

COMMITTEES AND COMMITTEE MEETINGS

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

Joint Committees

2 The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen

of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committes for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those rules.

BILLS AND RESOLUTIONS

Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, and except as provided in Rule 24 As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—
Manner of Printing Bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Each Member of the Senate and Assembly shall be permitted to submit a list of 10 libraries, chambers of commerce or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of seventy-five dollars ($75) at a General Session or twenty-five dollars ($25) at a Budget Session, nor shall more than two copies of bills or other legislative publications be distributed free to any person, office or organization except to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk

of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter

printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the Rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

PASSAGE AND ENROLLING OF BILLS

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 10 days

prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24 After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill)

must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and the Assembly.

Report of Committee on Conference

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees

appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

When Conference Committee Report Is in Order

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 94 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privileges of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, he is authorized and instructed to deliver two copies of the opinion to the first named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

Expense of Members

35. As provided in Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the

Legislature (including any recess of three days or less) an allowance authorized for other elected state officers at the time the expense is incurred.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and a copy of the certificates shall be printed in Journals of the respective houses. Upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative

Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or to accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of seven cents ($0 07) per mile each way incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of fifteen dollars ($15) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be entitled to receive the same expense allowances as if the committee were functioning within the State.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

36 1. Unless otherwise provided by respective House ~~or committee~~ rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally.

Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there shall be a joint committee to be known and called the Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro Tempore of the Senate and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker and four other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not re-elected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the

committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:

(a) State Budget.

(b) Revenues and expenditures of the State.

(c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Auditor under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee, or in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

On and after the commencement of a succeeding general session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Auditor for use and custody, available to the Members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Auditor with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the government of the State of California. But, except as hereinabove provided, neither the Legislative Auditor or any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Auditor upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requestor to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requestor or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be

any material delay he shall subsequently communicate this fact to the requestor. In the event the committee refuses such authorization, he shall inform such requestor forthwith.

Adjournment

38. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. Hereafter all regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

40. The Joint Committee in Inter-House Cooperation is hereby created. It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof, concerning the relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has a continuing existence and may meet, act, and conduct its business at any place within the State, during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate membership shall consist of the President pro Tempore of the Senate, and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker, the Chairman of the Assembly Committee on Rules and the three other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between sessions in the Senate membership of the committee shall be filled by the Senate Committee on Rules. Vacancies occurring in the Assembly membership shall be filled by appointment by the Speaker.

The committee shall have authority to make rules to govern its own proceedings. It may also create subcommittees from its membership and assign to such subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold.

The provisions of Joint Rule 36 shall apply to the committee, and it shall have all the authority provided in such rule or in Article IV, Section 37 of the Constitution.

O

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 10 BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the proposed Rules Committee amendments to Senate Concurrent Resolution No. 10 be ordered printed in the Journal, as follows:

PROPOSED BY THE COMMITTEE ON RULES

AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 10, AS AMENDED IN SENATE JANUARY 11, 1951

Amendment No. 1

On page 1, lines 6 and 7, of the printed measure, as amended in the Senate on January 11, 1951, strike out "committees and committee meetings".

Amendment No. 2

On page 4, line 12, of said measure, after "Assembly.", insert "Except as otherwise provided by either the Assembly or Senate.".

Amendment No. 3

On page 4, line 12, of said measure, strike out "Each", and insert "each".

Amendment No. 4

On page 4, line 14, of said measure, strike out "libraries, chambers of commerce", and insert "organizations".

Amendment No. 5

On page 11, of said measure, strike out all of lines 4 through 11, inclusive.

Amendment No. 6

On page 12, line 21, of said measure, after "rate of", strike out "seven cents ($0.07)", and insert "ten cents ($0.10)".

Amendment No. 7

On page 13, line 12, of said measure, after "House", insert "or committee".

Amendment No. 8

On page 13, line 18, of said measure, after "generally", insert ", provided that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing"

Amendment No. 9

On page 13, of said measure, after line 46, insert

"Any vacancies occuring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election."

Amendment No. 10

On page 16, of said measure, between lines 15 and 16, insert

"Joint Committee on Interhouse Cooperation"

Amendment No. 11

On page 16, line 16, of said measure, strike out "in", and insert "on".

Amendment No. 12

On page 16, line 4, of said measure, insert

"37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "Clerk" or "Secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the Joint Rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee."

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 10 WITH PROPOSED AMENDMENTS BE PRINTED IN JOURNAL

Mr Dickey asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 10, which relates to the Joint Standing Rules, be ordered printed in the Journal showing proposed Assembly Rules Committee amendments, as follows:

PROPOSED ASSEMBLY RULES COMMITTEE AMENDMENTS SHOWN IN STRIKEOUT AND ITALICS TYPE

PROPOSED ASSEMBLY AMENDMENTS
AMENDED IN SENATE JANUARY 11, 1951

Senate Concurrent Resolution No. 10

Introduced by Senator Powers

January 10, 1951

WITHOUT REFERENCE TO COMMITTEE

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following Rules be adopted as the Joint Rules of the Senate and Assembly for the 1951 Regular Session of the California Legislature.

JOINT RULES OF THE SENATE AND ASSEMBLY ~~COMMITTEES AND COMMITTEE MEETINGS~~

COMMITTEES AND COMMITTEE MEETINGS

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

Joint Committees

2. The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen

of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those rules.

BILLS AND RESOLUTIONS

Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, and except as provided in Rule 24. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—
Manner of Printing Bills

12 The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c). The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. *Except as otherwise provided by either the Assembly or Senate* ~~Each~~ *each* Member of the Senate and Assembly shall be permitted to submit a list of 10 ~~libraries, chambers of commerce~~ *organizations* or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of seventy-five dollars ($75) at a General Session or twenty-five dollars ($25) at a Budget Session, nor shall more than two copies of bills or other legislative publications be distributed free to any person, office or organization except to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk

of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter

printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the Rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

PASSAGE AND ENROLLING OF BILLS

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 10 days

prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments Such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill)

must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and the Assembly.

Report of Committee on Conference

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees

appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

When Conference Committee Report Is in Order

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 94 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privileges of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, he is authorized and instructed to deliver two copies of the opinion to the first named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

Expense of Members

35. As provided in Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the

Legislature (including any recess of three days or less) an allowance authorized for other elected state officers at the time the expense is incurred.

~~Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and a copy of the certificates shall be printed in Journals of the respective houses. Upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.~~

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative

Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or to accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of ~~seven cents ($0.07)~~ *ten cents ($0.10)* per mile each way incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of fifteen dollars ($15) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be

entitled to receive the same expense allowances as if the committee were functioning within the State.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

36 1. Unless otherwise provided by respective House *or committee* rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally , *provided that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing* .

Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there shall be a joint committee to be known and called the Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro Tempore of the Senate and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker and four other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not re-elected at the general election.

Any vacancies occuring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:

(a) State Budget.

(b) Revenues and expenditures of the State.

(c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the

budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Auditor under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee, or in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

On and after the commencement of a succeeding general session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Auditor for use and custody, available to the Members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Auditor with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the government

of the State of California. But, except as hereinabove provided, neither the Legislative Auditor or any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Auditor upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requestor to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requestor or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be any material delay he shall subsequently communicate this fact to the requestor. In the event the committee refuses such authorization, he shall inform such requestor forthwith.

37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "clerk" or "secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the joint rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee.

Adjournment

38. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. Hereafter all regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

Joint Committee on Inter-House Cooperation

40. The Joint Committee ~~in~~ *on* Inter-House Cooperation is hereby created. It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof, concerning the relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be

1 referred to the committee for action if the Legislature is in ses-
2 sion, and shall be referred to the committee for action if the
3 Legislature is not in session.
4 The committee has a continuing existence and may meet,
5 act, and conduct its business at any place within the State, dur-
6 ing sessions of the Legislature or any recess thereof, and in the
7 interim period between sessions.
8 The committee shall consist of five Members of the Senate
9 and five Members of the Assembly. The Senate membership shall
10 consist of the President pro Tempore of the Senate, and four
11 members appointed by the Committee on Rules. The Assembly
12 members of the committee shall consist of the Speaker, the Chair-
13 man of the Assembly Committee on Rules and the three other
14 Members of the Assembly appointed by the Speaker. The com-
15 mittee shall select its own chairman.
16 Any vacancies occurring between sessions in the Senate
17 membership of the committee shall be filled by the Senate Com-
18 mittee on Rules. Vacancies occurring in the Assembly member-
19 ship shall be filled by appointment by the Speaker.
20 The committee shall have authority to make rules to govern
21 its own proceedings. It may also create subcommittees from its
22 membership and assign to such subcommittees any study,
23 inquiry, investigation or hearing which the committee itself has
24 authority to undertake or hold.
25 The provisions of Joint Rule 36 shall apply to the commit-
26 tee, and it shall have all the authority provided in such rule or
27 in Article IV, Section 37 of the Constitution.

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

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

Assembly Bill No. 1565: By Messrs. Porter and Erwin—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts of animate chattels and of mining machinery, and to add Section 2980.5 to the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Referred to Committee on Judiciary.

Assembly Bill No. 1566: By Mr. Porter—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts.

Referred to Committee on Education.

Assembly Bill No. 1567: By Messrs. Porter and Dills—An act to add Section 112.5 to the Education Code, relating to the teaching of trades and crafts.

Referred to Committee on Education.

Assembly Bill No. 1568: By Mr. Grant—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1569: By Mr. Grant—An act to amend Section 50 of the Public Utilities Act, relating to certificates of public convenience and necessity.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1570: By Messrs. Grant and Klocksiem—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles, and the isuance and sale of bonds to pay the costs of such acquisition and improvement and payable, in whole or in part, from revenues from such parking places and from revenues from parking meters on the public streets.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1571: By Messrs. Rosenthal, Condon, Kilpatrick, Porter, Elliott, McMillan, and Munnell—An act establishing a Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the causes of industrial disputes by encouraging collective bargaining, and making an appropriation

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1572: By Mr. Hinckley—An act to repeal Section 6413 of the Labor Code and to add Section 6413 to the Labor Code, relating to workmen's safety

Referred to Committee on Industrial Relations.

Assembly Bill No. 1573: By Messrs. Beck, Babbage, Smith, Leverıng, Conrad, Dills, and Doyle—An act relating to the registration of members of Communist organizations and regulating the activities of registrants.

Referred to Committee on Judiciary.

Assembly Bill No. 1574: By Mr. McCarthy—An act to repeal Sections 9752 and 9753 of, and to add Section 9752 to, the Elections Code, relating to sample ballots and polling place cards.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1575: By Mr. McCarthy—An act to amend Section 9751 of the Elections Code, relating to the form of notice of election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1576: By Messrs. Porter and Grant—An act to amend Section 1801 of the Education Code, relating to the System of Public Education.

Referred to Committee on Education.

Assembly Bill No. 1577: By Mr. Porter—An act to repeal Section 13582 and to amend Section 13583 of the California Education Code, relating to probationary employees.

Referred to Committee on Education

Assembly Bill No. 1578: By Mr. Lyon—An act to amend Section 29020 of the Health and Safety Code, relating to the furnishing of dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 1579: By Mr. Lyon—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Referred to Committee on Public Health.

Assembly Bill No. 1580: By Mr. Lyon—An act to amend Section 4162 of the Business and Professions Code, relating to the sale of hypodermic syringes and needles.

Referred to Committee on Public Health.

Assembly Bill No. 1581: By Mr. Lyon—An act to amend Section 20759 of, and to add Section 20765 to the Health and Safety Code, relating to the sale of poisons.

Referred to Committee on Public Health.

Assembly Bill No. 1582: By Mr. Maloney—An act to add Section 7 1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1583: By Mr. Dickey—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and making an appropriation.

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

Assembly Bill No. 1584: By Mr. Dickey—An act to amend Section 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works, and making an appropriation.

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

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.12 p.m., Mr. Dunn asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Education in the Post Office, at this time. Subject: Assembly Bill No. 1220.

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

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

Assembly Bill No. 1585: By Messrs. Geddes and George D. Collins (By Request)—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents, by requiring insurance, a surety bond, or a deposit of securities; and to prescribe penalties for violations of this act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1586: By Mr. Porter—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1587: By Mr. Porter—An act to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135 1 of the Education Code, relating to school district merit systems for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 1588: By Mr. Porter—An act to amend Section 18707, and to repeal Section 18706, of the Education Code, relating to the sale of property and materials to pupils by school districts.

Referred to Committee on Education.

Assembly Bill No. 1589: By Mr. Porter—An act to amend Section 18852 of the Education Code, relating to the purchase of school district apparatus and supplies.

Referred to Committee on Education.

Assembly Bill No. 1590: By Mr. Porter—An act to amend Section 2209 of the Education Code, relating to the expenses of members of school district governing boards.

Referred to Committee on Education.

Assembly Bill No. 1591: By Mr. Porter—An act to amend Section 14376.2 of the Education Code, relating to members of the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1592: By Mr. Porter—An act to amend Section 16272 of the Education Code, relating to school busses.

Referred to Committee on Education.

Assembly Bill No. 1593: By Mr. Porter—An act to add Section 479 to the Vehicle Code, relating to crosswalks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1594: By Mr. Porter—An act to add Section 2208.1 to the Education Code, relating to the expenditure of school district funds.

Referred to Committee on Education.

Assembly Bill No. 1595: By Mr. Porter—An act to amend Sections 5901 to 5905, inclusive, and the heading of Article 1, Chapter 8, Division 3, of the Education Code, relating to school district funds.

Referred to Committee on Education.

Assembly Bill No. 1596: By Messrs. Erwin, Butters, and Tomlinson—An act to provide for additional branch offices of the Department of Motor Vehicles and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1597: By Mr. Dickey—An act to amend Section 6060 of the Business and Professions Code, relating to admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1598: By Mr. Dickey—An act to amend Section 6060.5 to the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

Assembly Bill No. 1599: By Mr. Dickey—An act to add Section 6060.1 to the Business and Professions Code to prescribe the qualifications for membership in the California Committee of Bar Examiners.

Referred to Committee on Judiciary.

Assembly Bill No. 1600: By Mr. Dickey—An act to repeal Section 6060.6 of the Business and Professions Code and to add a new section numbered 6060.6 thereto to provide for the admission to the practice of the law of persons performing duty in the armed services.

Referred to Committee on Judiciary.

Assembly Bill No. 1601: By Mr. Dickey—An act to repeal Sections 6060, 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code and to add a new Section 6060 thereto, relating to the accreditation of law schools and qualification for admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1602: By Mr. Dickey—An act to repeal Sections 6060, 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code and to add a new Section 6060 thereto, relating to the accreditation of law schools and qualification for admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1603: By Mr. Waters—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132 6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1604: By Mr. Davis—An act to add Sections 2⅞, 13⅛, and 50⅛ to the Public Utilities Act, relating to public utilities, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1605: By Mr. Porter—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1606: By Messrs. Rumford, Dunn, and Lincoln—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 1607: By Mr. Rumford—An act to add Section 2600.1, to repeal and add Sections 3920, 3921, and 3946, to amend Section 5801, and to repeal Sections 2674, 2742, 2794, and 2795, of the Elections Code, relating to the direct primary.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1608: By Mr. Lindsay—An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1609: By Mr. Grant—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1610: By Mr. Clarke—An act to add Section 18.1 to the State Resources Act of 1945, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1611: By Mr. Clarke—An act to add Section 3 to an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used.

Referred to Committee on Agriculture.

Assembly Bill No. 1612: By Mr Lindsay—An act to add Section 451 1 to the Vehicle Code, relating to vehicular traffic.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1613: By Messrs. Gubser, Lindsay, Lowrey, Belotti, Clarke, Hansen, and Kirkwood—An act to add Section 372.4 to the Vehicle Code, relating to vehicle registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1614: By Mr. Crowley—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1615: By Mr. Crowley—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1616: By Mr. Crowley—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 7: By Messrs. Lowrey, Lindsay, and Sherwin—Relative to acquisition of land by the United States

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1220

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

DUNN, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Municipal and County Government.

Upon adjournment—

Conservation, Planning, and Public Works, in Room 319.

Governmental Efficiency and Economy, in Room 435.

Tidelands and Transbay Crossing in Room 426. Subject: Grade Separation.

Tomorrow, Thursday, January 18th, at 10 a.m.—

Rules, in Room 319.

It was announced that the following committee would hold no meeting:

Today—

Finance and Insurance.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to B. F. Feigenbaum of San Francisco.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Edwards Green of San Francisco.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward Gaffney and Margaret Mary of San Francisco.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Leonard W. Butler of Oxnard.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Albert Cage of Riverside.

On request of Messrs. Moss and Fleury, the usual courtesties of the Assembly for this day were unanimously extended to Jack W. Davis, teacher of the Sutter Union School, Mrs. R. W. Bybee, guest, and the following pupils: Philip Henricks, Edgar Abernathy, Lawrence Wood, Ben Arocan, Ronnie Alvernaz, Martyn Rosa, Harry Huff, Robert Perry, John King, Peter Yoshikawa, Yoshito Yamado, Edna Masukara, Marian Yoshikawa, Jean Bybee, JoAnn Kimura, Patricia Taylor, Adelaide Jones, Arlene Arocan, Ellen Gover, Grace Takeucki, Patsy Kimura, Dolores Azevedo, and Pat Laurin.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to M. A. Bernoff, teacher of the Sacramento Junior College, and the following pupils: Don Brinkley, Dale Rain, Fred Von Fluee, Charley Staats, Dean Albright, Angelo Ponterio, Royal Brown, Quinn Dorval, Ruth Etzold, Marjorie Wright, Robert Watkins, Marvin Weber, Vincent P. Amoruso, Alvin A. Miller, and Frederica Maxwell.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Aley of Fresno.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Pete Pendelton of Coachella and Rex Johnson of Indio.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Fiack of Ord.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Milton I. Griese, senior advisor of the Emery High School of Emeryville, and the following pupils: Maxine Banks, Verna Cooper, Lois Dunster, Joan Garcia, Wanda Graham, Patricia Miller, Vivian Rodoni, Margaret Soares, Clarence Steen, Naomi Holder, Marion Howes, Barbara Kieser, Aileen Landman, Pat McInerny, Edith Mitchell, Adela Pena, Virginia Rangel, Claire Simmons, Vendetta Torix, Yvonne Van Hulle, Bobby June Yates, Loretta Norton, Wayne Haner, and James Blevins.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Viola Rose and John Ross of Bakersfield.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to D. G. Gibson of Berkeley, and Mrs. Nettie Jackson of Oakland.

On request of Mr. Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marion Connolly of San Francisco and Mrs. Betty Dolwig of South San Francisco.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Harold Schilling and Mrs. Criswell, teachers of the Courtland Joint Union High School, Bates Joint Union School, and the following pupils: William Baber, Ray Batten, Bobby Burch, Barbara Callaway, Jean Cole, Mary Jane Collier, Billy Cortopassi, Gloria Diaz, Frances Dolinski, Mary Dominiquez, Ted Fukushima, Cruz Garcia, Sharon Gentner, Virginia Gibson, Kenneth Grimes, Jennie Kunkel, Robert Lasseter, Tressa Lee, Jay Long, Mercedes

Luna, Luis Macias, Grace McCutcheon, Danny Medina, Johnny Oropesa, Phyllis Parry, Crystal Peterson, Marshall Pylman, Marina Rojo, Robert Rufenacht, Robert Schmidt, George Smith, Thomas Stubbs, Connie Tolman, Tina Vigil, Joseph Werlinger, Robert White, Norman Wong, Ben Yabu, Jane Hemly, Dolores Herzog, Nova Hobbs, June Houston, Melvin Johnson, and Clyde King.

ADJOURNMENT

At 3.20 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 18, 1951, out of respect to the memory of the late Joseph E. Burke of Lafayette, Louisiana.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 18, 1951

The Assembly met at 11 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lispcomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—79

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A Kircher:

Almighty and Eternal God, With whom one day is as a thousand years and a thousand years as one day, help us to

"So live, that when our summons comes to join
The innumerable caravan that moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
We go, not like the quarry slave at night
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust."

So create within us clean hearts and renew within us right spirits, that our lives and service may be fitted for eternity.

In our Redeemer's name

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE
SACRAMENTO, January 8, 1951

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

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

Respectfully,

EARL WARREN, Governor

DR. JACOBUS TEN BROEK, a resident of Berkeley, Associate Professor at the University of California, President and a founder of the National Federation of the Blind, was appointed April 28, 1950, as member of the Social Welfare Board, vice Gordon X. Richmond, resigned.

J. EUGENE MCATEER, a resident of San Francisco, veteran of World War II, was appointed May 15, 1950, as member of the California Veterans Board, vice Daniel Judson Callaghan, Jr., resigned.

LEWIS K. GOUGH, a resident of Pasadena, veteran of World War II, Department Commander, the American Legion of the State of California, 1949-1950, was appointed May 15, 1950, as member of the California Veterans Board, vice Ernest R. Orfila, deceased.

W. P. FULLER BRAWNER, a resident of San Francisco, business executive, member of the Board of State Harbor Commissioners for San Francisco Harbor since July 6, 1949, was reappointed May 18, 1950.

CARL F. WENTE, a resident of San Francisco, bank executive, President of the Duck Hunter's Association of California, was appointed September 6, 1950, as member of the Fish and Game Commission, vice Edwin L. Carty, resigned.

WILLIAM C. JONES, a resident of Whittier, President of Whittier College, was appointed September 8, 1950, as member of the Board of Trustees, Norwalk State Hospital, vice Dr. Glenn Myers, deceased.

CLARENCE W. PETERSON, a resident of Tracy, owner and operator of a creamery, was appointed October 23, 1950, as member of the Board of Trustees, Stockton State Hospital, vice Harvey F. Mathews, deceased.

WALTER MELVILLE ROBERTSON, Major General of U. S. Army (retired), a resident of San Francisco, Commander of the 2d Division, World War II, former Deputy Commander of the Sixth Army at the Presidio of San Francisco, was appointed October 2, 1950, as Director of Civil Defense.

JOHN R. MALONEY, a resident of San Francisco, Chief Assistant Insurance Commissioner since 1948, was appointed January 1, 1951, as Insurance Commissioner, vice Wallace Downey, resigned.

PETER E. MITCHELL, a resident of Sacramento, member of the California Unemployment Insurance Appeals Board and a member of the California Employment Stabilization Commission since November 12, 1948, was reappointed January 2, 1951.

JUSTUS F CRAEMER, a resident of Orange, publisher, a member of the State Public Utilities Commission since January 1, 1939, was reappointed January 2, 1951.

OLLIE F. SNEDIGAR, a resident of Oakland, Alameda County Probation Officer, was appointed August 28, 1950, as member of the Board of Corrections. (Mr. Snedigar could not qualify since he is precluded by the charter of Alameda County, Section 66, from accepting the appointment).

ISSAC PACHT, a resident of Beverly Hills, former Judge of the Superior Court of the County of Los Angeles, a former President of the Board of Prison Directors, was appointed August 28, 1950, as member of the Board of Corrections. (Resigned).

COMMUNICATIONS

By Speaker Sam L. Collins:

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

COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS
LOS ANGELES, January 11, 1951

Hon Sam L Collins
Speaker of the Assembly
State Capitol Building
Sacramento, California

DEAR SIR: I enclose herewith certified copy of a resolution which was adopted by the Board of Supervisors of the County of Los Angeles on January 9, 1951, requesting the State Legislature to enact urgency legislation providing for a Highway Patrol Reserve Corps.

Yours very truly,

RAY E LEE, Chief Clerk

Above transmitted resolution ordered printed in the Journal as follows:

COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS, Los Angeles

Resolution

Introduced by Supervisor Leonard J Roach, Tuesday, January 9, 1951

The board met in regular session. Present: Supervisors Roger W. Jessup, Chairman, presiding; Herbert C. Legg, Leonard J. Roach, John Anson Ford, and Raymond V. Darby; and Harold J. Ostly, Clerk, by Ray E. Lee, Deputy Clerk.

IN RE CIVILIAN DEFENSE: RESOLUTION REQUESTING STATE LEGISLATURE TO ENACT URGENCY LEGISLATION PROVIDING FOR A HIGHWAY PATROL RESERVE CORPS

On motion of Supervisor Roach, unanimously carried, it is ordered that the following resolution be and the same is hereby adopted:

WHEREAS, The State of California, due to its location and also due to the heavy concentration of the defense industries herein, is particularly vulnerable to disaster in any world-wide war in which this Country may become involved; and

WHEREAS, By reason thereof it has become necessary to reactivate the Civil Defense Program in this State in view of the extreme gravity of the world political situation; and

WHEREAS, In the implementation of any civil defense program it is advisable that the State have at its command for use in an emergency a Reserve of Highway Patrolmen trained and qualified to augment the officers of the State Highway Patrol; now, therefore, be it

Resolved by the Board of Supervisors of the County of Los Angeles, That the State Legislature be and it is hereby respectfully requested to enact as an urgency measure a law or laws providing for a Highway Patrol Reserve Corps such as is recommended by the Department of California Highway Patrol; further be it

Resolved, That copies of this resolution be mailed to the presiding officers of the Senate and Assembly and to each of the Los Angeles County Delegation.

I hereby certify that the foregoing is a full, true and correct copy of a resolution which was adopted by the Board of Supervisors of the County of Los Angeles, State of California, on January 9, 1951, and entered in the minutes of said board.

HAROLD J. OSTLY, County Clerk of the County of Los Angeles, State of California, and ex officio Clerk of the Board of Supervisors of said County.
By RAY E. LEE, Deputy Clerk

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
PUBLIC WORKS BUILDING, SACRAMENTO, CALIFORNIA, January 15, 1951

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

DEAR MR. OHNIMUS: At the direction of the State Water Resources Board there is transmitted herewith a copy of a report of the State Water Resources Board respecting reallocation of funds as required by Section 11 of the Flood Control Act of 1946.

Very truly yours,

A. D. EDMONSTON, Secretary

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

By Speaker Sam L. Collins:

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

PRO AMERICA, CALIFORNIA CHAPTER
NATIONAL ORGANIZATION OF WOMEN, INC.
LOS ANGELES, CALIFORNIA, January 16, 1951

Honorable Sam Collins
Speaker of Assembly
State Capitol, Sacramento, California

DEAR SIR: The Board of Directors of California Chapter of Pro America has instructed me to send to you their stand on child care centers which is attached hereto.

Yours sincerely,

CECIL LOGAN
Mrs. Dudley Logan, President
California Chapter Pro America

Above transmitted data ordered printed in the Journal as follows:

Child Care Centers

The Board of Directors of the California Chapter of Pro America makes the following statement and recommendations to the California Legislature with regard to child care centers:

1. We recognize and endorse private enterprise and we believe wherever possible private child care centers should be encouraged
2. Public child care centers should be continued on a temporary basis.
3. Permissive legislation should be enacted to permit local school districts to decide whether they want child care centers in their districts and that such districts as approve them should bear a proportional part of the cost.
4. Means test must be strictly enforced. Parents able to pay not qualifying under the means test, who enter children in public child care centers should pay entire cost.
5. Special privileges above the means test should be strictly reserved for children of persons in active service and disabled veterans.
6. The investigation of ability to pay should take place at three month's intervals, and the statements should be made under sworn affidavit.

APPOINTMENTS TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Morris, Chairman, vice Mr. Fletcher, resigned; and Mr. Porter, vice Mr. Crichton, resigned; to membership on the Assembly Interim Committee on State-Federal Cooperation in the Discovery of Petroleum, Oil and Its Products, etc.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No. 26
Assembly Bill No. 142
Assembly Bill No. 694
Assembly Bill No. 695
Assembly Bill No. 696

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

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 12
Assembly Bill No. 40
Assembly Bill No. 43

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

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

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

Assembly Bill No. 38

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 10
Assembly Bill No. 35

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

STEWART, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Grant:

House Resolution No. 45

Relating to a Fishermen's Wharf at Long Beach Harbor

WHEREAS, It has come to the attention of this Assembly that the Long Beach Board of Harbor Commissioners are planning to build a Fishermen's Wharf center at Pierpoint Landing; and

WHEREAS, The center which is planned will be a recreation and fishing mecca to the inhabitants of Southern California and to the Southland tourist, housing restaurants, sporting supply and curio shops; and

WHEREAS, The people of Long Beach have always been alert to make such civic improvements as will add to the prestige of the glorious Golden State; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby heartily and highly commend the City of Long Beach and the Long Beach Board of Harbor Commissioners for their outstanding planning and ceaseless efforts to effect improvements; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Mayor of the City of Long Beach and to each of the members of the Long Beach Board of Harbor Commissioners.

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1617: By Mr. Erwin—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1618: By Mr. Fleury—An act to amend Sections 625, 640, 645, 660, and 675.5 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1619: By Mr. Fleury—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1620: By Mr. Fleury—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1621: By Mr. Fleury—An act to add Section 718 to the Vehicle Code, relating to penalties for violation of weight restrictions.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1622: By Mr. Fleury—An act to amend Sections 736, 737, 738, 739, and 743.6 of the Vehicle Code, relating to arrests for any violation of the Vehicle Code.

Referred to Committee on Judiciary.

Assembly Bill No. 1623: By Mr. Fleury—An act to amend Sections 20921, 20922, 21253, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258.1, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1624: By Mr. Fleury—An act to amend Sections 21296 and 21298 of the Government Code, and to add Section 21298.5 thereto, relating to the State Employees' Retirement System in respect to disability retirement pensions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1625: By Mr. Fleury—An act to add Section 20600.5 to the Government Code, relating to the State Employees' Retirement System in respect to members' rates of contributions, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1626: By Mr. Fleury—An act to amend Section 21258 of and to add Section 21258.1 to the Government Code, relating to the State Employees' Retirement System in respect to minimum service retirement allowances of members.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1627: By Mr. Fleury—An act to amend Section 21253 of the Government Code, relating to the State Employees' Retirement System in respect to prior service pensions of state and local miscellaneous members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1628: By Mr. Fleury—An act to amend Section 21362 of the Government Code, relating to the State Employees' Retirement System in respect to installment payment of benefits.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1629: By Mr. Fleury—An act to amend Section 21367.5 of and to add Section 21367.7 to the Government Code, relating to the State Employees' Retirement System in respect to the benefit payable upon the death of a retired person while receiving a retirement allowance therefrom

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1630: By Mr. Fleury—An act to amend Section 20921 and 20922 of the Government Code, relating to the State Employees' Retirement System in respect to state service credit for federal service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1631: By Mr. Fleury—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System in respect to the basic death benefit.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1632: By Mr. Fleury—An act to amend Section 632 of the Code of Civil Procedure, relating to court procedure.

Referred to Committee on Agriculture.

Assembly Bill No. 1633: By Mr. Fleury—An act to amend Section 53040 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1634: By Mr. Fleury—An act to amend Section 51444 of the Water Code, relating to reclamation districts

Referred to Committee on Agriculture.

Assembly Bill No. 1635: By Mr. Fleury—An act to amend Sections 50101 and 50110 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1636: By Mr. Fleury—An act to amend Section 52170 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1637: By Mr. Sam L. Collins—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1638: By Mr. McCollister—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 1639: By Messrs. Caldecott, Lowrey, Levering, and Tomlinson—An act to amend Section 4.37 of the University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1640: By Messrs. Caldecott, Kirkwood, Mrs. Niehouse, Messrs. Gubser, and Hansen—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under the State College Revenue Act of 1947 as legal investments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1641: By Mr. Caldecott—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions.

Referred to Committee on Judiciary.

Assembly Bill No. 1642: By Mr. Caldecott—An act to add Section 217.1 to the Motor Vehicle Code, relating to foreign vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1643: By Mr. Caldecott—An act to add Article 4 to Chapter 4 of Division 10 of the Education Code, relating to the education of deaf children.

Referred to Committee on Education.

Assembly Bill No. 1644: By Mr. Caldecott—An act to authorize the Governor to execute for, on behalf of, and in the name of the State of California, a compact or agreement entitled, "Interstate Civil Defense and Disaster Compact."

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1645: By Messrs. Brown, McCollister, Caldecott, Coats, Cooke, Dills, Fleury, Gubser, and McGee—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1646: By Messrs. Brown, McCollister, Fleury, Caldecott, Coats, Cooke, Dills, Gubser, and McGee—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1647: By Mr. Brown—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1648: By Mr. Brown—An act to amend Section 2902 of the Revenue and Taxation Code, relating to property taxes and the collection of unsecured taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1649: By Mr Brown—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1650: By Mr. Brown—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1651: By Mr. Brown—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1652: By Mr. Brown—An act to add Sections 1274.3a and 1465.1 to the Code of Civil Procedure, relating to abandoned property.

Referred to Committee on Judiciary.

Assembly Bill No. 1653: By Mr. Brown—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1654: By Mr. Brown—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary.

Assembly Bill No. 1655: By Mr. Brown—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Referred to Committee on Judiciary.

Assembly Bill No. 1656: By Mr. Brown—An act to amend Section 517 of the Code of Civil Procedure, relating to claim and delivery of personal property and the steps to be followed in obtaining possession of such property in a building or enclosure.

Referred to Committee on Judiciary.

Assembly Bill No. 1657: By Mr. Brown—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 1658: By Mr. Brown—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

Assembly Bill No. 1659: By Mr. Brown—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26737, 26738, and 26741 of the Government Code, relating to fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1660: By Mr. Brown—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1661: By Mr. Brown—An act to amend Section 688 of the Code of Civil Procedure, relating to property subject to execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1662: By Mr. Brown—An act to amend Section 689b of the Code of Civil Procedure, relating to deposit and payment of debt and interest.

Referred to Committee on Judiciary.

Assembly Bill No. 1663: By Mr. Brown—An act to amend Section 6103 of the Government Code, relating to fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1664: By Mr. Brown—An act to amend Section 682 of the Code of Civil Procedure, relating to issuance of writ of execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1665: By Mrs. Niehouse and Mr. Erwin—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge and Recreational Park by the State and making an appropriation therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 1666: By Mr. Erwin—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1667: By Mr. Erwin—An act to add Sections 31047, 31048, and 31049 to the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1668: By Mr. Erwin—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1669: By Mr. Grunsky—An act to add Chapter 12 (comprising Sections 28700 to 28724, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof.

Referred to Committee on Public Health.

Assembly Bill No. 1670: By Mr. Grunsky—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Referred to Committee on Boards and Commissions.

Assembly Concurrent Resolution No. 14: By Mr. Kirkwood—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 19: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 20: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 21: By Messrs. Burkhalter, Davis, Kilpatrick, Henderson, Munnell, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XII thereof, relating to the Public Utilities Commission, and providing for the election of the members thereof.

Referred to Committee on Constitutional Amendments

Assembly Bill No. 1671: By Mr. Grunsky—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 1672: By Mr. Grunsky—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1673: By Mr. Grunsky—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1674: By Mr. Grunsky—An act to amend Section 10203 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1675: By Mr. Grunsky—An act to amend Section 10203.4 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 142—An act to add Section 5 1 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

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

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

Assembly Bill No. 1676: By Mr. Grunsky—An act to add Section 10203.8 to the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1677: By Mr. Grunsky—An act to amend Section 10206 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1678: By Mr. Grunsky—An act to amend Section 1240 of the Insurance Code, relating to investments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1679: By Mr. Grunsky—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1680: By Mr. Grunsky—An act to amend Section 53200 of the Government Code, relating to group insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1681: By Mr. Grunsky—An act to add Section 1127a to the Penal Code, relating to instructions to the jury as to extenuating facts or circumstances in a criminal murder trial.

Referred to Committee on Judiciary.

Assembly Bill No. 1682: By Mr. Grunsky—An act to amend Section 942 of the Insurance Code, relating to the liability of the State of California for the custody and safe return of securities.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1683: By Mr. Grunsky—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys.

Referred to Committee on Judiciary.

Assembly Bill No. 1684: By Mr. Grunsky—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1685: By Messrs. Babbage and Butters—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1686: By Mr. Babbage—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

Assembly Bill No. 1687: By Mr. Babbage—An act to add Section 7144.1 to the Education Code, relating to school districts constituting component parts of school districts.

Referred to Committee on Education.

Assembly Bill No. 1688: By Mrs. Niehouse—An act to add Section 2006 5 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1689: By Messrs. Kirkwood, Hansen, Gubser, Caldecott, Cloyed, Collier, George D. Collins, Connolly, Conrad, Gaffney, Maloney, McCarthy, Meyers, Mrs. Niehouse, Messrs. Stewart, and Waters—An act to add Chapter 2, consisting of Sections 6100 to 6106

to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1690: By Messrs. Kirkwood and Gubser—An act to add Chapter 3.4 consisting of Sections 6605 to 6605 6 to Part 4 of Division 6 of the Welfare and Institutions Code, relating to temporary admission to state hospitals of persons who are believed to be mentally ill and providing for their release within ninety (90) days after admission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1691: By Mr. Kirkwood—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

Referred to Committee on Education.

Assembly Bill No. 1692: By Mr. Kirkwood—An act to add Section 14008 to the Education Code, relating to the employment of educational consultants by school districts.

Referred to Committee on Education.

Assembly Bill No. 1693: By Mr. Kirkwood—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning.

Referred to Committee on Education.

Assembly Bill No. 1694: By Mr. Kirkwood—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1695: By Mr. Kirkwood—An act to add Section 20344.3 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

Referred to Committee on Education.

Assembly Bill No. 1696: By Mr Kirkwood—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1697: By Mr. Kirkwood—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

Referred to Committee on Education.

Assembly Bill No. 1698: By Messrs. Kirkwood, Geddes, Gubser, and Sillman—An act to amend Section 6810 of the Business and Professions Code, relating to the registration of professional engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1699: By Messrs. Kirkwood, Geddes, Gubser, and Sillman—An act to amend Section 6799 of the Business and Professions Code, relating to the registration of professional engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1700: By Mr. Kirkwood—An act to add Sections 7051 1 and 7091.1 to the Education Code, relating to a System of Public Instruction.

Referred to Committee on Education.

Assembly Bill No. 1701: By Mr. Kirkwood—An act to amend Section 533 of the Vehicle Code, relating to school busses

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1702: By Mr. Kirkwood—An act to add Section 2142 to the Welfare and Institutions Code, relating to old age security, in respect to services rendered in the administration of old age security.

Referred to Committee on Social Welfare.

Assembly Bill No. 1703: By Mr. Kirkwood—An act to amend Sections 53672 and 53673 of the Government Code, relating to the deposit of public moneys with banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1704: By Mr. Morris—An act to add Section 53250.5 to the Government Code, relating to firemen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 8: By Messrs. McGee and Munnell—Relative to a moratorium on federal income tax payments for persons in the armed forces.

Referred to Committee on Rules.

Assembly Bill No. 1705: By Messrs. Moss and Fleury—An act to amend Section 2802 of the Education Code, relating to the formation of union elementary school districts.

Referred to Committee on Education.

Assembly Bill No. 1706: By Messrs. Moss and Fleury—An act to amend Section 3591 of the Education Code, relating to the organization of high school districts in elementary or union elementary school districts.

Referred to Committee on Education.

Assembly Bill No. 1707: By Messrs. Moss and Fleury—An act to amend Section 3661 of the Education Code, relating to the uniting of elementary school districts to form union or joint union high school districts.

Referred to Committee on Education.

Assembly Bill No. 1708: By Messrs. Moss and Fleury—An act to amend Section 3462 of the Education Code, relating to the organization of high school districts.

Referred to Committee on Education.

Assembly Bill No. 1709: By Messrs. Moss and Fleury—An act to amend Section 1647 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1710: By Messrs. Moss and Fleury—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1711: By Messrs. Moss and Fleury—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1712: By Mr. Levering—An act to add Chapter 1.5, comprising Sections 930 and 931, to Part 3 of Division 2 of the Labor Code, relating to employment rights of persons not members of labor organizations

Referred to Committee on Industrial Relations.

Assembly Bill No. 1713: By Mr. Levering—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment and disability insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1714: By Mr. Levering—An act to amend Section 39 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1715: By Mr. Levering—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1716: By Mr. Levering—An act to repeal Section 13 of, and to add a new Section 13 to the Unemployment Insurance Act, relating to the definition of suitable employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1717: By Mr. Levering—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1718: By Mr. Kelly—An act to amend Section 10071 of the Education Code, relating to courses in forestry and conservation in the public schools.

Referred to Committee on Education.

Assembly Bill No. 1719: By Mr. Grant—An act to add Sections 9.1, 27.1, and 27.2 to the Vehicle Parking District Act of 1943, relating to the formation and financing of vehicle parking districts, the use for parking places of lands already owned by the city, and the redemption of bonds issued under said act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1720: By Mr. Elliott—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the public ownership and operation of a transportation system in metropolitan areas; the construction thereof; and relating to rail transportation in metropolitan areas.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1721: By Mr. Stanley—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1722: By Mr. Stanley—An act to add Section 20358 to the Education Code, relating to the purchase of insurance in connection with driver training classes.

Referred to Committee on Education.

Assembly Bill No. 1723: By Mr. Stanley—An act to repeal an act entitled "District Investigation Act of 1933" and relating to the organization of special tax and assessment districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1724: By Mr. Waters—An act to amend Section 12001 of the Government Code, relating to the Governors' Office

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1725: By Mr. Waters—An act to establish a Commission on Governmental Organization, prescribing its powers, duties and functions and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1726: By Mr. McGee—An act to add Sections 13560 and 13085.1 to the Education Code, relating to certificated employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1727: By Mr. Morris—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1728: By Mr. Hansen—An act to add Section 75 to the Code of Civil Procedure, relating to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1729: By Mr. Hinckley—An act to amend Sections 6407 and 6408 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1730: By Messrs. Butters, Erwin, Clarke, Cooke, Kirkwood, and Stanley—An act to amend the Flood Control Fund Act of 1946 (Chapter 142, Stats 1st Extra Session 1946), as amended, by amending Sections 1, 3, 4, and 6 thereof, relating to state assistance on flood control projects.

Referred to Committee on Agriculture.

Assembly Bill No. 1731: By Messrs. Butters, Erwin, Clarke, Cooke, Kirkwood, and Stanley—An act to amend the State Water Resources Act of 1945 (Chapter 1514, Stats. 1945), as amended, by amending Sections 18 and 20 thereof, relating to state assistance on flood control projects.

Referred to Committee on Agriculture.

Assembly Bill No. 1732: By Messrs. Butters, Cooke, Kirkwood, and Stanley—An act to amend Sections 10501, 10503, and 10504 of the Water Code, relating to priority of applications to appropriate water filed by the Department of Finance.

Referred to Committee on Agriculture.

Assembly Bill No. 1733: By Mr. Butters—An act to amend Section 3000 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1734: By Mr. Butters—An act to add Sections 21386 and 21387 to the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1735: By Mr. Butters—An act to amend Section 26078 of the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1736: By Mr. Butters—An act to amend Section 21120 of the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1737: By Mr. Butters—An act to amend Section 26915 of the Water Code, relative to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1738: By Messrs. Fleury and Moss—An act to add Section 2211 to the Education Code, relating to the joint use and maintenance of school buildings and other school facilities by contiguous and coterminous school districts.

Referred to Committee on Education.

Assembly Bill No. 1739: By Mr. Gubser—An act to amend the title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code, and to amend Sections 20034, 20036, 20061, 20062, and 20065 of the Health and Safety Code, and to repeal Sections 20035 and 20037 of the Health and Safety Code, and to add Article 2.5 to Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1740: By Mr. Gubser—An act to amend Section 1509 7 of the Elections Code, relating to measures submitted to the electors.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1741: By Mr. Geddes—An act making an appropriation to pay the claim of Herbert Herzenberg against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1742: By Messrs. Connolly and Maloney—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1743: By Messrs. Connolly and Maloney—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1744: By Mr. Sherwin—An act to amend Section 667 of the Elections Code, relating to precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1745: By Mr. Sherwin— an act to amend Sections 370, 371, 373, and 373.5 of the Elections Code, relating to indices of registration

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1746: By Mr. Sherwin—An act to amend Section 668 of the Elections Code, relating to precinct boards

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1747: By Mr. Condon—An act to add Section 53.95 to the Alcoholic Beverage Control Act, relating to the contents of wine labels, and to require labels on bottled wine.

Referred to Committee on Boards and Commissions

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 4

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 13

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

DICKEY, Chairman

Above reported resolutions ordered engrossed.

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

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

Assembly Bill No. 1748: By Mr. Condon—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1749: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—An act to amend Section 60 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1750: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Connolly, Maloney, and McCarthy—An act to amend Section 633 of the Welfare and Institutions Code, relating to the management and control of the internal affairs of the detention home.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 22: By Messrs. Rosenthal, Munnell, Hahn, Morris, Dolwig, Hawkins, and Rumford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 3a, relating to legislative officers.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1751: By Messrs. George D. Collins, Brady, Gaffney, Connolly, Maloney, McCarthy, and Meyers—An act to amend Section 641 of the Welfare and Institutions Code, relating to the management of the detention home.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1752: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fire boat services and payment for services of firemen.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1753: By Mr. George D. Collins—An act to add Section 5614.1 to the Streets and Highways Code, relating to repairs and liability for defective sidewalks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1754: By Messrs. Chapel, Porter, Thomas, Hawkins, Dunn, Hahn, Morris, and Rosenthal—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1755: By Mr. Rosenthal—An act to amend Section 381 of the Insurance Code, relating to insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1756: By Messrs. Rumford and Hawkins—An act to add Section 54.1 to the Civil Code, relating to admission to schools.

Referred to Committee on Judiciary.

Assembly Bill No. 1757: By Mr. Lincoln—An act to repeal Section 11004.5 of the Revenue and Taxation Code and Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1758: By Mr. Lincoln—An act to amend Section 25450 of the Government Code, relating to powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1759: By Messrs. Lowrey and Brown—An act providing for the constitution of municipal courts in districts in Yolo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1760: By Messrs. Lowrey and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Woodland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, for the fourth time today, he has referred bills to standing committees which are being sponsored by the same state department, with the same subject matter involved, but authored by four different Assemblymen. He urged, most emphatically, that Members of the Assembly prevail upon all state departments to eliminate this useless and costly procedure, and to select just one Assemblyman to present a bill after it has been checked for duplications.

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

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

Assembly Bill No. 1761: By Messrs. Hinckley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Colton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1762: By Messrs. Hinckley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Redlands, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1763: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Norwalk, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1764: By Messrs. McFall, Parker, and Brown—An act providing for the constitution of municipal courts in districts in San Joaquin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1765: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Walnut Park, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1766: By Messrs. Lyon and Doyle—An act to add Division 2b, comprising Sections 139 70 to 139 75, inclusive, to, and to amend Section 760 of, the Vehicle Code, relating to the traffic safety authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1767: By Messrs. Lyon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Beverly Hills, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1768: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 44 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1769: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 45 to the Municipal and Justice Court Act of 1949, relating to courts

Referred to Committee on Judiciary.

Assembly Bill No. 1770: By Messrs Brown, Rosenthal, and Munnell—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1771: By Messrs Brown, Rosenthal, and Munnell—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1772: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 1773: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103*l*, 103m, 103n, 103½, 103¾, 104, 107, 110, 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1774: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 1425 of the Penal Code, relating to municipal and justice courts

Referred to Committee on Judiciary.

Assembly Bill No. 1775: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 4 of "An act providing for the division

of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1776: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 1 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1777: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 43 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1778: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 42 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1779: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 41 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1780: By Messrs Brown, Rosenthal, and Munnell—An act to add Section 46 to the Municipal and Justice Court Act of 1949, relating to courts

Referred to Committee on Judiciary.

Assembly Bill No. 1781: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 47 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary

Assembly Bill No. 1782: By Messrs Brown, Rosenthal, and Munnell—An act to amend Section 144 of the Code of Civil Procedure, relating to courtrooms.

Referred to Committee on Judiciary.

Assembly Bill No. 1783: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1784: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 755 of the Political Code and Section 58.6 of the Code of Civil Procedure, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council.

Referred to Committee on Judiciary.

Assembly Bill No. 1785: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1786: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1787: By Mr. Morris—An act to add Article 10, comprising Sections 7146 and 7147, to Chapter 9, Division 3 of the Business and Professions Code, relating to the licensing of construction salesmen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1788: By Messrs. Burke and Geddes—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1789: By Messrs. Burke and Geddes—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5392, 6463, 6464 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to the Improvement Act of 1911 and public works and improvements thereunder.

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

Assembly Bill No. 1790: By Mr. Stewart—An act to repeal Section 263 and to amend Sections 256 and 257 of the Health and Safety Code, and to provide for the reversion to the General Fund of the unexpended balance of the Physically Defectives' Revolving Fund, relating to physically handicapped children.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1791: By Messrs. Stewart and Waters—An act adding Chapter 7 to Division 20 of the Health and Safety Code providing for research on the public health aspects of air pollution, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1792: By Messrs. Maloney, Connolly, Gaffney, Meyers, and Berry—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Referred to Committee on Judiciary

Assembly Bill No. 1793: By Messrs Maloney, Connolly, Gaffney, Meyers, Berry, Brady, and George D Collins—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants

Referred to Committee on Judiciary

Assembly Bill No. 1794: By Mr. George D. Collins—An act to amend Section 11586 of the Elections Code, relating to elections

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1795: By Mr. George D. Collins—An act to amend Section 10554 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1796: By Mr. George D. Collins—An act to amend Section 9752 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1797: By Mr. George D. Collins—An act to amend Section 8100 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1798: By Mr. George D. Collins—An act to amend Section 1600 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1799: By Messrs. Geddes and Rosenthal—An act to amend Section 602 of the Revenue and Taxation Code, relating to description of property for property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1800: By Messrs. Geddes and Rosenthal—An act to amend Section 602 of the Revenue and Taxation Code, relating to description of property for property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1801: By Messrs. Stewart and McCarthy—An act to amend Section 7031 of the Business and Professions Code, relating to licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1802: By Mr. Stewart—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1803: By Mr. Porter—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts.

Referred to Committee on Municipal and County Government.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Coats:

Resolved, That Assembly Bill No. 1220 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provisions of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—69.

NOES—None.

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

CONSIDERATION OF ASSEMBLY BILL NO. 1220

Assembly Bill No. 1220—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 1220
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third read.

THIRD READING OF ASSEMBLY BILL NO. 1220

Assembly Bill No. 1220—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.
NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR, SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No 142
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 142 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68

NOES—None.

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

CONSIDERATION OF ASSEMBLY BILL NO. 142

Assembly Bill No. 142—An act to add Section 5.1 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 742

Mr. Evans moved that Assembly Bill No. 742 be withdrawn from the Committee on Civil Service and State Personnel, and be re-referred to the Committee on Municipal and County Government.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 49—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 556—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 557—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 582—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947.

Bill read second time, and ordered engrossed.

Assembly Bill No. 583—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

Bill read second time, and ordered engrossed.

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 603—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 51—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 504—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the registration of root or top stock of fruit and nut trees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "registration", and insert "identification".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "registration", and insert "identification".

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "registration", and insert "identification".

Amendment No. 4

On page 2, line 13, of the printed bill, strike out "a", and insert "an identification".

Amendment No. 5

On page 2, line 14, of the printed bill, strike out "recording", and insert "record"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

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

Assembly Bill No. 51

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Geddes:

Resolved, That Assembly Bill No. 51 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

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

CONSIDERATION OF ASSEMBLY BILL NO. 51

Assembly Bill No. 51—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—67.

NOES—Butters, Collier, Hinckley, Levering, Smith, and Tomlinson—6.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—67.

NOES—Butters, Collier, Hinckley, Levering, Smith, and Tomlinson—6.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 35—An act to amend Section 1596.1 of the Education Code, relating to school sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, line 8, of said bill, after "exclude", insert "such".

Amendment No. 3

On page 1, line 13, of said bill, before the period, insert ", and the buildings and improvements thereon shall remain the property of such district".

Amendment No. 4

On page 1, of said bill, after line 13, insert

"SEC 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Under the existing law if there is located in unincorporated territory annexed to a city a school building which was constructed and maintained at the expense of a school district which does not include the territory within the boundaries of the city, such school building will become a part of the city school district In many cases the city school district would be unable to raise funds to maintain the school building. In order to assure adequate provision for the continued maintenance of such schools which serve areas greater than the area within the boundaries of such cities, and thus preserve the much needed existing institutions of education, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1950

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 248

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

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

Assembly Joint Resolution No. 2

And respectfully requests your honorable body to concur in said amendments.

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

Above bill ordered to unfinished business file.

RECESS

At 12.19 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

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

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

Assembly Bill No. 1804: By Mr. Evans—An act to amend the title and Sections 1, 2, and 3 of Statutes 1935, Chapter 683, as amended, commonly referred to as the Transportation Rate Fund Act, relating to fees assessed against transportation agencies carrying property for compensation to raise funds for the purpose of administering and enforcing the Highways Carriers' Act and the Motor Transportation Brokers' Act and certain provisions of the Public Utilities Act.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1805: By Messrs. Burkhalter, Morris, and Dills—An act to add Sections 550.1, 551.5, 552.1, and 552.2 to the Military and Veterans Code, relating to California defense and security.

Referred to Committee on Military Affairs.

Assembly Bill No. 1806: By Messrs. Burkhalter and McCollister—An act to add Section 1100 to the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 1807: By Mr. Burkhalter—An act to add Section 10347 to the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1808: By Mr. Burkhalter—An act making an appropriation to the Department of Natural Resources, Division of Beaches and Parks, for fencing the Amastoy Rancho.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1809: By Mr. Lindsay—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and

to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

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

Assembly Bill No. 1810: By Messrs. George D. Collins, Brady, Gaffney, Berry, Connolly, Maloney, McCarthy, and Meyers—An act to amend Section 29(c) of the "Community Redevelopment Act," relating to employees benefits.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1811: By Messrs. George D. Collins, Meyers, Gaffney, Maloney, and McCarthy—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately

Referred to Committee on Municipal and County Government

Assembly Bill No. 1812: By Mr Caldecott—An act to add Section 16009 to the Government Code, relating to claims against the State, and providing a procedure for the United States Government to reach net amounts owing by the State to debtors of the United States.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1813: By Mr. Caldecott—An act to add Section 12419 5 to the Government Code, relating to claims against the State and the duties of the State Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1814: By Mr. Dunn—An act to add Section 8651 1 to the Revenue and Taxation Code, relating to state taxes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1815: By Mr. Dunn—An act to amend Section 372 of the Vehicle Code and to repeal Sections 372.3, 372.5, 373, and 373.5 of said code, relating to vehicle registration fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1816: By Mr. Maloney—An act to amend Section 151 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1817: By Mr. Maloney—An act to amend Section 7011 of the Business and Professions Code, relating to contractors

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1818: By Mr. Brown—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164,

3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Section 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Referred to Committee on Judiciary.

Assembly Bill No. 1819: By Messrs. McFall and Brown—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary

Assembly Bill No. 1820: By Messrs McFall and Brown—An act to amend Section 1263 of the Civil Code, relating to homesteads

Referred to Committee on Judiciary.

Assembly Bill No. 1821: By Messrs. McFall and Brown—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death

Referred to Committee on Judiciary.

Assembly Bill No. 1822: By Messrs. McFall and Brown—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Referred to Committee on Judiciary

Assembly Bill No. 1823: By Messrs. McFall and Brown—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain

Referred to Committee on Judiciary.

Assembly Bill No. 1824: By Messrs. McFall and Brown—An act to amend Section 2924c of the Civil Code, relating to mortgages and deeds of trust.

Referred to Committee on Judiciary.

Assembly Bill No. 1825: By Messrs. McFall and Brown—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads

Referred to Committee on Judiciary

Assembly Bill No. 1826: By Messrs. McFall and Brown—An act to add Section 1116 to the Civil Code, relating to conditions subsequent in grants and protection of mortgages and deeds of trust made for value and in good faith.

Referred to Committee on Judiciary.

Assembly Bill No. 1827: By Messrs. McFall and Brown—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1828: By Mr. Grant—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1829: By Mr. Evans—An act to add Section 170 to the Vehicle Code, relating to special identification plates.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1830: By Mr. Evans—An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment and possession of narcotics in vehicles.

Referred to Committee on Public Health.

Assembly Bill No. 1831: By Mr. Brown—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found.

Referred to Committee on Judiciary.

Assembly Bill No. 1832: By Mr. Brown—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property.

Referred to Committee on Judiciary.

Assembly Bill No. 1833: By Mr. Brown—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled.

Referred to Committee on Judiciary.

Assembly Bill No. 1834: By Mr. Brown—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

Referred to Committee on Judiciary.

Assembly Bill No. 1835: By Mr. Brown—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the

Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority.

Referred to Committee on Judiciary.

Assembly Bill No. 1836: By Mr. Brown—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1837: By Mr. Rosenthal—An act to add Section 19355 to the Health and Safety Code, relating to the occupancy of trailer coaches.

Referred to Committee on Public Health.

Assembly Bill No. 1838: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Connolly, and McCarthy—An act to amend Section 662 of the Welfare and Institutions Code, to provide that in counties with more than 500,000 population and less than 2,000,000 population the juvenile hall shall be under the management and control of the chief executive officer of the county or similar officer designated by the legislative body.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1839: By Mr. Dolwig—An act to amend Sections 542, 689b, 690.24, and 690.26 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1840: By Mr Dolwig—An act to amend Sections 4850, 4851, 4852, 4853, and 4854 of the Labor Code, relating to special payments to city policemen and city firemen.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1841: By Mr. Dolwig—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Referred to Committee on Municipal and County Government

Assembly Bill No. 1842: By Mr. Dolwig—An act to add Section 73.3 to the Streets and Highways Code, relating to the relinquishment of highways or portions thereof to local authorities.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 1843: By Mr. Dolwig—An act to add Section 24412 to the Education Code, relating to the liability of school districts for injuries arising out of the organization, promotion or conducting of community recreation programs or activities.

Referred to Committee on Education.

Assembly Bill No. 1844: By Mr. Hollibaugh—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code, and to add Section 1028 to the Probate Code, relating to the taxation of property which has escheated or been distributed to the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1845: By Mr. Lindsay—An act to amend Section 75 of the Streets and Highways Code, relating to highway planning.

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

Assembly Bill No. 1846: By Mr. Lindsay—An act to amend Sections 38707 and 38708 of the Government Code, relating to the establishment of zoning commissions in cities

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1847: By Mr Lindsay—An act to add Section 11005.6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to local planning agencies and for approval thereof by the State Public Works Board.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1848: By Mr. Lindsay—An act to add Section 60 to the State Water Resources Act of 1945, relative to the financing of water projects by issuance of bonds payable solely from the revenues thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1849: By Mr Lindsay—An act to amend Section 3 of the Wildlife Conservation Act of 1947 (Chapter 1325, Statutes of 1947), relating to the acquisition of land for the purposes of said act and the powers of the State Public Works Board in relation thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1850: By Mr Lindsay—An act to amend Sections 551, 553, 560.1, and 562 of, and to repeal Section 561 of, the Vehicle Code, relating to traffic rules

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1851: By Mr. Lindsay—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1852: By Mr. Lindsay—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Referred to Committee on Judiciary.

Assembly Bill No. 1853: By Mr Lindsay—An act to amend Section 680 of the Vehicle Code, relating to inspection of vehicles and equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1854: By Mr. Lindsay—An act to add Section 737.5 to the Vehicle Code, relating to nonresident drivers of foreign motor vehicles, and providing a procedure which may be followed after the arrest of such drivers.

Referred to Committee on Judiciary.

Assembly Bill No. 1855: By Mr. Fleury—An act to amend Section 678 of the Vehicle Code, relating to tire equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1856: By Messrs Silliman, Brown, and Hagen—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1857: By Mr. Maloney—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college employees.

Referred to Committee on Education.

Assembly Bill No. 1858: By Messrs Connolly and Maloney—An act to amend Section 2261 of the Civil Code, relating to the investment of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 1859: By Messrs. Lipscomb and Smith—An act to amend Sections 5058 and 5105 1 of, and to add Section 5103 1 to, the Education Code, relating to state school building aid

Referred to Committee on Education

Assembly Bill No. 1860: By Messrs. Lipscomb and Smith—An act to amend Section 5103 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1861: By Mr. Grunsky—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions of veterans' associations for purposes of public buildings, parks, and centers therefor

Referred to Committee on Military Affairs

Assembly Bill No. 1862: By Mr. Grunsky—An act to add Section 18616 to the Education Code, relating to leases of school district property to veterans' associations.

Referred to Committee on Military Affairs.

Assembly Bill No. 1863: By Messrs. Grunsky and Collier—An act to add Sections 7311 and 7312 to the Revenue and Taxation Code, and to add Chapter 2 5, comprising Sections 7665 to 7674, inclusive, to Part 2

of Division 2 of said code, relating to the imposition of a motor vehicle fuel tax upon the user, storer, keeper, retainer or consumer, providing for the collection thereof through producers, distributors or brokers of motor vehicle fuel, and providing that this act shall take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1864: By Mr. Stanley—An act to amend Section 37100 of the Government Code, relating to the powers of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1865: By Mr. Stanley—An act to amend Section 37113 of the Government Code, relating to the powers of cities.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 9: By Mr. Doyle—Relative to memorializing the Congress of the United States in relation to the qualifications of Members of the House of Representatives.

Referred to Committee on Rules.

Assembly Joint Resolution No. 10: By Messrs. Gaffney, Maloney, McCollister, McCarthy, George D. Collins, and Crowley—Relative to reactivation of the Defense Highway Act of 1941.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

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

Assembly Joint Resolution No. 4

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 14

By Mr. Dickey:

House Resolution No. 14

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 81 sets of the latest edition of the Larmac Index to California Laws, at _____ plus sales tax per set; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) copy of the Larmac Index to each Member of the Assembly, and one (1) copy to the Chief Clerk; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Recorder in a sum not to exceed _____ dollars in payment of 81 sets of the latest edition of the Larmac Index.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the first paragraph, line 2, of the resolution, as printed in the Assembly Journal of January 8, 1951, page 11, after "purchase", strike out "81", and insert "13".

Amendment No. 2

In the first paragraph, line 3, of said measure, after "at", insert "seventeen dollars and fifty cents ($17.50)."

Amendment No. 3

In the second paragraph, line 2, of said measure, after "each", insert "new".

Amendment No. 4

In the second paragrah, lines 2 and 3, of said measure, after "Assembly", strike out ", and one (1) copy to the Chief Clerk".

Amendment No. 5

In the last paragraph of said measure, second line, after "exceed", insert "two hundred fifty dollars ($250) ; strike out "dollars" at the end of the line; and, in the last line of said paragraph, strike out "81", and insert "13".

Amendments read, and adopted.

Consideration of House Resolution No. 14, as Amended

By Mr. Dickey:

House Resolution No. 14

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 13 sets of the latest edition of the Larmac Index to California Laws, at seventeen dollars and fifty cents ($17.50) plus sales tax per set; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) copy of the Larmac Index to each new Member of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Recorder in a sum not to exceed two hundred fifty dollars ($250) in payment of 13 sets of the latest edition of the Larmac Index

Resolution read, as amended.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 2.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Belotti, Brown, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Dills, Dunn, Evans, Fleury, Hinckley, Kilpatrick, Lowrey, Luckel, Lyon, McMillan, Niehouse, Porter, Rosenthal, Silliman, Thomas, and Waters—26.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

JOINT INTERIM COMMITTEE APPOINTMENTS ANNOUNCED

Speaker Sam L. Collins announced the appointment of Mr. Hansen, vice Mr. Thompson; and Mr. Cloyed, vice Mr. Lewis; to membership on the Joint Interim Committee on Soil Conservation.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON ROLL CALL ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 51

Mr. Brady asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Assembly Bill No. 51, and that he be recorded as voting "Aye."

ANNOUNCEMENT

Speaker Sam L. Collins announced that, in his opinion, the members are starting a very bad precedent to grant unanimous consent to any member to record his name and vote upon a roll call, when a long duration of time has elapsed since roll call action was taken

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

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

Assembly Bill No. 1866: By Mr Sam L. Collins—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1867: By Mr. Lincoln—An act to amend Section 4102 of the Government Code, relating to subletting and subcontracting.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1868: By Mr. Babbage—An act to amend Section 4530 of the Penal Code, relating to escapes.

Referred to Committee on Judiciary.

Assembly Bill No. 1869: By Mr. Babbage—An act to amend Section 1191 of the Penal Code, relating to judgments

Referred to Committee on Judiciary.

Assembly Bill No. 1870: By Messrs. Burkhalter, Evans, and McMillan—An act to amend Section 20840 of the Business and Professions Code, relating to the sale of gasoline or other motor vehicle fuel.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1871: By Mr. Stanley—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1872: By Mr. Stanley—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1873: By Messrs. Gaffney, George D. Collins, McCarthy, Connolly, Berry, Brady, Maloney, and Meyers—An act to add Section 24205.3 to the Education Code, relating to the conferring of degrees by schools and colleges

Referred to Committee on Education.

Assembly Bill No. 1874: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Sections 1475, 1476, 1477, 1478, 1479, and 1480, of the Labor Code, relating to the powers and duties of the Commission of Housing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1875: By Messrs. Gaffney, George D. Collins, McCollister, Crowley, and Berry—An act to add Chapter 6 to Division 7 of Title 1 of the Government Code, relating to border information bureaus.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney and Maloney.

House Resolution No. 46

Relative to adjournment in memory of Alexander Watchman

WHEREAS, It is with profound regret that the Members of the Legislature have learned of the passing of Alexander "Sandy" Watchman on January 14, 1951; and

WHEREAS, Alexander Watchman has for the greater portion of his life devoted himself untiringly to the problems of the workingman, and

WHEREAS, Alexander Watchman has been a member of the United Carpenters since May 2, 1910, and a member of the San Francisco Carpenters' Local 2164 since 1931, and has served as Financial Secretary and Business Representative of that local, and as President of the San Francisco Building Trade Council from 1937 until 1941, and has served with the California Federation of Labor until 1941, and

WHEREAS, From 1941 until his passing Alexander Watchman has served as a member of the California Industrial Accident Commission, and has, during such service, sought to have the State Workmen's Compensation Laws administered fairly and impartially and has worked diligently to have them liberalized; and

WHEREAS, It can be truly said of Alexander Watchman that he faithfully served his fellow men and his Country; now therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of Alexander Watchman and most sincere sympathy for his widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn it do so in respect to the memory of Alexander Watchman, and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Alexander Watchman, the widow of Alexander Watchman, and to Maud Switzler, his daughter, Beryl Emory, his granddaughter, and to the San Francisco Building and Construction Trades Council

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

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

The following resolution was offered:

Assembly Concurrent Resolution No. 15: By Messrs. Gaffney, McCollister, Berry, and Crowley—Relative to State Information Bureaus.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 38—An act making an appropriation for purpose of increasing salaries of state employees, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on January 17, 1951, between lines 11 and 12, insert

"SEC. 2.5. It is the intent of the Legislature in enacting this act that employees now receiving compensation not in excess of three hundred dollars ($300) per month shall be given first consideration."

Amendment read.

Demand for Previous Question

Messrs. Lyon, Lindsay, Silliman, Hansen, and Caldecott demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hawkins to Assembly Bill No. 38.

Roll Call Demanded

Messrs. Hawkins, Elliott, and Cooke demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Dunn, Elliott, Evans, Geddes, Hahn, Hawkins, Hinckley, Hollibaugh, Lincoln, Lowrey, Niehouse, Porter, Rumford, and Thomas—21.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—52.

Demand for Previous Question

Messrs. Silliman, Kirkwood, Parker, Gubser, and Clarke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 38.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Sherwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Mr. Sherwin Be Allowed Five Additional Minutes

Mr. Grunsky moved that Mr. Sherwin be allowed five additional minutes for the purpose of answering questions.

Motion died for lack of a second.

The question being on the passage of the bill.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Lincoln, Lindsay,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—57.

NOES—Babbage, Burke, Butters, Collier, Conrad, Erwin, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—21.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 14

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

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14

Senate Concurrent Resolution No. 14—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 9, of the printed measure, after "at", strike out "8", and insert "10".

Amendment No. 2

On page 1, line 9, of said measure, after "the", strike out "twentieth", and insert "twenty-third".

Amendments read, and adopted.

Consideration of Senate Concurrent Resolution No. 14, as Amended

Senate Concurrent Resolution No. 14—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of Article IV of the Constitution of this State requires that, after the Legislature has been in session for a period of not exceeding 30 days a recess must be taken by both houses for a period of not less than 30 days; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1951 Regular Session of the Legislature of the State of California shall adjourn for said recess at ~~8~~ *10* o'clock p.m. on the ~~twentieth~~ *twenty-third* day of January, 1951, and shall reassemble at 12 o'clock m. on March 12, 1951.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—Cooke and Crowley—2

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 41

By Mr. Geddes:

House Resolution No. 41

Relative to the augmentation of funds of the Assembly Interim Committee on Finance and Insurance

WHEREAS, Recent events have demonstrated the need for the Assembly Interim Committee on Finance and Insurance to conduct hearings on the subject of allegedly fraudulent operation of medical and health associations and bills presently referred to the Standing Committee on Finance and Insurance; and

WHEREAS, The funds presently available to the committee are insufficient to meet the expenses necessary for the conduct of such hearings; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any sum heretofore made available to the Assembly Interim Committee on Finance and Insurance, created by House Resolution No 239 of the 1949 Regular Session and continued in existence by House Resolution No. 28 of the 1951 Regular Session, the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under House Resolution No. 28 of this session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, and Stanley—63.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 43

House Resolution No. 43

Relative to the death of Hon. Louis F. Erb, former Assemblyman of the Twenty-eighth Assembly District, San Francisco, and to the adjournment of the Assembly of the State Legislature in respect to the memory of former Assemblyman, Hon. Louis F. Erb

WHEREAS, The Members of the Assembly of the State of California have learned with profound sorrow of the recent death of the Honorable Louis F. Erb of San Francisco, California, on December 12, 1950; and

WHEREAS, Louis F. Erb represented the City and County of San Francisco in the Assembly of the State Legislature in 1923 and 1925, serving the Twenty-eighth Assembly District, the Richmond-Park Presidio District of San Francisco; and

WHEREAS, During his term of office Louis F Erb took an active and effective part in the work of the Assembly, performing distinguished services for the citizens of his district and the people of the whole State of California as a leader in the State Legislature; and

WHEREAS, Subsequent to his service as a Member of the Assembly, Louis F. Erb served for many years as Minute Clerk in the Assembly, rendering invaluable services to the Members of the Assembly; and

WHEREAS, For the last 18 years Louis F Erb has served as Deputy Registrar of Contractors in the Contractors' State License Board; and

WHEREAS, The Native Sons of the Golden West was graced with his presence as presiding chairman of a long list of public balls, first as a member of old Alcalde Parlor, then El Dorado Parlor, and finally since 1943 Stanford Parlor, and

WHEREAS, The Past President's Assembly of the Native Sons of the Golden West saw fit to install him as Governor General in which position he brought further reknown to the order as well as greater acclaim and respect to himself; and

WHEREAS, The Benevolent and Protective Order of Elks, San Francisco Lodge No 3, and the Richmond Lodge No 375, F and A. M likewise respected and honored this excellent Representative of the Park Presidio-Richmond District in the Assembly of the State Legislature; and

WHEREAS, Louis F. Erb has devoted his life to public service, has served the people of the State of California faithfully and efficiently throughout the years and is mourned by his beloved family, the citizens of the State of California, and his fraternal associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California mourn the passing of the Hon. Louis F. Erb, and desire by this resolution to pay tribute to his excellent qualities and to convey to the members of the bereaved family their sympathy in this great loss; and be it further

Resolved, That when the Assembly this day adjourns, it do so out of respect to the memory of the Hon. Louis F Erb; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to have prepared suitably engrossed copies of this resolution and is instructed to transmit them to the members of the bereaved family, Mrs Mathilda Ubhaus, Charles H. Erb, Lloyd Ubhaus, Charles A. Erb, Robert T. Erb, Mrs. Charles Lienau, and Dr. Charles Schuler.

Resolution read, and adopted unanimously by a rising vote.

CONSIDERATION OF HOUSE RESOLUTION NO. 37

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one complete set of the code to each Member of the Assembly, and one complete set of the code to the Chief Clerk of the Assembly

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In House Resolution No. 37, as printed on page 462 of the Assembly Journal for January 15, 1951, strike out the two resolved clauses, and insert

"*Resolved by the Assembly of the State of California*, That each Member of the Assembly may request in writing to the Chief Clerk of the Assembly the purchase of not more than four titles of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to purchase and deliver to each Member of the Assembly the titles of the California Administrative Code requested, and to purchase and deliver, as published, the register and inserts necessary to keep those titles up to date for a period of one year, as provided herein"

Amendment read.

House Resolution No. 37 ordered passed on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1876: By Messrs. Rosenthal and Evans—An act to add Section 2173.5 to the Business and Professions Code, relating to the qualifications for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 1877: By Mr. Hollibaugh—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1878: By Mr. Stewart—An act relating to revenues from tide and submerged lands, including provisions to establish a Special Deposit Fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Motion to Place Rush Order on Printing of Assembly Bill No. 1878

Mr. Stewart moved that a rush order be placed upon the printing of Assembly Bill No. 1878.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 13
And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 49	Assembly Bill No. 557
Assembly Bill No. 556	Assembly Bill No. 582

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 18—An act to amend Section 3466a of the Political Code and Section 51681 of the Water Code, relating to reclamation districts.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Mr. Brady arose to the following point of order: That copies of the bill under discussion are not on the desks of the members, and that the matter is not properly before the House until they are.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken, and ordered the Sergeant-at-Arms to immediately place copies of said bill upon the desks of the members.

Demand for Previous Question

Messrs. Hollibaugh, Dunn, Conrad, Silliman, and Lindsay demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 18.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Mr. Speaker—60

NOES—Burkhalter, Dunn, Elliott, Geddes, Henderson, and Klocksiem—6.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Mr. Speaker—60.

NOES—Burkhalter, Dunn, Elliott, Geddes, Henderson, and Klocksiem—6

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Constitutional Amendment No. 23: By Messrs. Brown, Rosenthal, and Beck—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1879: By Mr. Stewart—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1880: By Mr. McCarthy—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children and failure to report the return of an absent parent.

Referred to Committee on Social Welfare.

Assembly Bill No. 1881: By Mr. McCarthy—An act to amend Section 1500 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1882: By Mr. McCarthy—An act to add Section 7123 to the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1883: By Mr. McMillan—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1884: By Mr. McMillan—An act to add Section 786.1 to the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 1885: By Mr. McMillan—An act to amend Sections 1624 and 1631 of, and to add Section 1633.5 to the Labor Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1886: By Mr. Meyers—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1887: By Mr. Meyers—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

Referred to Committee on Finance and Insurance.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 14

At 3.35 p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 14 adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1888: By Mr. Meyers—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1889: By Mr. Meyers—An act making an appropriation for payment of overtime by employees of the Department of Employment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1890: By Mr. Meyers—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1891: By Mr. Kelly—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402.1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating to sites for public schools.

Referred to Committee on Education.

Assembly Bill No. 1892: By Mr. Kelly—An act to amend Sections 1593, 2561, and 2802 of the Education Code, relating to the formation of school districts.

Referred to Committee on Education.

Assembly Bill No. 1893: By Mr. Waters—An act to add Section 5620.5 to the Elections Code, relating to grounds for challenge.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1894: By Mr. McGee—An act to amend Sections 867 and 868 of the Fish and Game Code, relating to the yellowtail, barracuda and white sea bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 1895: By Messrs. McGee, Fleury, and Dolwig—An act to amend Section 487 of the Penal Code, relating to grand theft.

Referred to Committee on Judiciary.

Assembly Bill No. 1896: By Mr. Condon—An act to add Section 865.1 to the Penal Code, relating to criminal procedure, in respect to testimony of defendant at preliminary examinations.

Referred to Committee on Judiciary.

Assembly Bill No. 1897: By Mr. Parker—An act to add Section 402 to the Penal Code, relating to electrified fences.

Referred to Committee on Judiciary.

Assembly Bill No. 1898: By Mr. Babbage—An act making an appropriation to pay the claim of B. C. Jost.

Referred to Committee on Ways and Means.

Assembly Bill No. 1899: By Mr. Lindsay—An act to add Section 146 to the Streets and Highways Code, relating to planning of service roads as parts of freeways.

Referred to Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 600
Assembly Bill No. 603

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MEMBER EXCUSED

At 3.40 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, and desired to waive his per diem.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Memorandum From Legislative Counsel

A. B. 1652, by Mr. Brown

An act to add Sections 1274.3a and 1465.1 to the Code of Civil Procedure, relating to abandoned property.

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly

This is to advise you that the Legislative Counsel Bureau has, pursuant to the authority vested in it by Assembly Standing Rule No. 36, changed the title of A. B. 1652 to read as above.

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Deputy

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Revenue and Taxation, in Room 435.

Upon adjournment—

Ways and Means.
Legislative Representatives, in Room 305.

Tomorrow, Friday, January 19—

At 10 a.m.—

Rules, in Room 319.

Subcommittee on Elections and Reapportionment relative to the McGee matter.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. McCollister and Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Andrew Zankich of Bodega Bay.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to C. Don Field of Glendale, former Assemblyman.

On request of Messrs. Silliman and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to A. Ronald Button of Hollywood.

On request of Mr. Cloyed, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Del Dixon of National City.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Col. Howard Freeman, Major Oscar Treland, and Major Harry Horton of El Centro.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. A. E. Johnson of Ft. Bragg.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Wesley Peters, Den Mother of Den 4, Pack 3036, and the following Cub Scouts, students at Crocker School, Sacramento: Max Gray, Robert MacCullough, Timothy Cole, Dick Rhodes, Kenneth McGilvray, Jr., Kenneth Peters, James Yeager, Gene Cobleigh, and Roy Peters, Boy Scout.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Stanley Wilson of San Francisco.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Blanche Bauman of Los Angeles, and Mrs. Jackie Fisher of Sacramento.

ADJOURNMENT

At 3.43 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned, until 11 a.m., Friday, January 19, 1951, out of respect to the memory of the late Louis F. Erb of San Francisco.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 19, 1951

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy name.

Direct us in the duties of this day with unfailing loyalty toward the high purposes and holy destiny of our calling Help us to recognize the vastness of our responsibilities, the depth of our priviliges, and the infinitude of our rewards.

"White Captain of my soul, lead on;
I follow Thee, come dark or dawn.
Only vouchsafe three things I crave;
Where terror stalks, help me be brave!
Where righteous ones can scarce endure
The siren call, help me be pure!
Where vows grow dim, and men dare do
What once they scorned, help me be true."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gubser, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Rumford, on motion of Mr. Evans.
Mr. McMillan, on motion of Mr. Evans.
Mr. Babbage, on motion of Mr. Evans.
Mr. Parker, on motion of Mr. Evans.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 35
Assembly Bill No 504

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 583

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 18

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 18—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 121
Assembly Bill No. 440
Assembly Bill No. 559
Assembly Bill No. 573
Assembly Bill No. 577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 566
Assembly Bill No. 575

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1900: By Mr. Sam L. Collins—An act making an appropriation to pay the claim of Charles E. Cooper against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1901: By Messrs. Klocksiem and McGee—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1902: By Mr Maloney—An act to add Part 10 to Division 3 of Title 2 of the Government Code, creating a Commission on Political and Economic Equality, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1903: By Mr. Maloney—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, extending the period of availability of moneys appropriated therefor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1904: By Mr. Gubser—An act to add Section 1104.2 to the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 1905: By Mr. Sam L. Collins—An act to amend Section 54 of the Fish and Game Code, relating to game management areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 1906: By Mr. Fleury—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths.

Referred to Committee on Judiciary.

Assembly Bill No. 1907: By Messrs. Erwin, Hinckley, and Butters—An act to add Article 3 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1908: By Messrs. Erwin, Hinckley, and Butters—An act to provide for a compact between the State of California and the State of Arizona in relation to fish and game and to provide for reciprocal hunting and fishing licenses and privileges for the residents of said states.

Referred to Committee on Fish and Game.

Assembly Bill No. 1909: By Mr. Levering—An act to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1910: By Mr. Levering—An act to repeal Sections 1507, 2003, 3001, and 3401 of the Welfare and Institutions Code, relating to aid to the needy.

Referred to Committee on Social Welfare.

Assembly Bill No. 1911: By Mr. Kelly—An act to add Section 502.5 to the Vehicle Code, relating to the impounding of vehicles of persons convicted of driving while under the influence of intoxicating liquor.

Referred to Committee on Judiciary.

Assembly Bill No. 1912: By Messrs. Fleury and Moss—An act to amend Section 20130 of the Government Code, relating to rates of contributions of members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1913: By Messrs. Moss and Fleury—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices on Saturdays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1914: By Mr. Sherwin—An act to amend Section 1722 of the Welfare and Institutions Code, relating to the salary of members of the Youth Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1915: By Mr. Sherwin—An act to amend Section 5076 of the Penal Code, relating to the compensation of members of the Adult Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 16: By Messrs. McMillan and Lyon—Relative to extending good wishes for a speedy recovery to Ida R. Koverman.

Referred to Committee on Rules.

Assembly Joint Resolution No. 11: By Messrs. Lanterman and Stewart—Relative to materials and equipment necessary for air pollution control.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 17: By Messrs. Kilpatrick, Burke, Burkhalter, Cooke, and Munnell—Relative to urging equal opportunity in public employment for qualified physically handicapped citizens of the State.

Referred to Committee on Rules.

Assembly Bill No. 1916: By Mr. McCollister—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1917: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 9 10 thereof, relating to loans upon real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1918: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 6 01 thereof, relating to withdrawals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1919: By Mr Geddes—An act to amend the Building and Loan Association Act by amending Section 12.01 thereof, relating to restrictions on building and loan business.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1920: By Mr. Geddes—An act to amend the Personal Property Brokers Act, relating to the taking and using of chattel mortgages.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1921: By Messrs. Butters, Geddes, Erwin, Clarke, Babbage, Brown, and Cloyed—An act to add Article 4, comprising Sections 17390 to 17394, inclusive, to Chapter 4, Part 10, Division 2, of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1922: By Messrs. Butters, Brown, Clarke, Babbage, and Cloyed—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1923: By Mr. Waters—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative referendum and recall petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1924: By Mr. Waters—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum, and recall petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1925: By Mr. Condon—An act to establish a judicial district consisting of Townships 3 and 4 in Contra Costa County.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1926: By Mr. Condon—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1927: By Mr. Condon—An act to add Sections 492 and 493 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1928: By Mr. Doyle—An act to amend Section 20606 of, and to add Sections 20019.1, 20019.2, 20461.1, 20606.1, and 20608.1 to, the Government Code, relating to the State Employees' Retirement System, in respect to members who are local motor coach operators.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1929: By Mr. Hahn—An act to add Section 14637 1 to the Education Code, relating to payment of State Teachers' Retirement System benefits.

Referred to Committee on Education.

Assembly Bill No. 1930: By Mr. Burkhalter—An act to add Chapter 7, comprising Section 997.9, to Division 4 of the Military and Veterans Code, relating to conferring veteran benefits on merchant seamen and members of the United States Maritime Service.

Referred to Committee on Military Affairs.

Assembly Bill No. 1931: By Mr. Coats—An act to add Section 5003.1 to the Public Resources Code, relating to the establishment and maintenance of roadside parks by the State Park Commission, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1932: By Mr. Coats—An act to add Section 5003.2 to the Public Resources Code, relating to the establishment and maintenance of river parks by the State Park Commission, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1933: By Mr. Evans—An act to amend Sections 14293 and 25452 of the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1934: By Messrs. Henderson and Coats—An act creating a State Commerce Commission, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1935: By Mr. Beck—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1936: By Mr. Beck—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1937: By Mr. Beck—An act to amend Section 5032 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1938: By Mr. Beck—An act to amend Section 1952 of the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Referred to Committee on Judiciary.

Assembly Bill No. 1939: By Mr. Brown—An act to add Sections 11007.5 and 11030.5 to the Government Code, relating to travel on state business.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1940: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 1941: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 196 2 to the Code of Civil Procedure, relating to the fees and mileage of jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 1942: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Chapter 662 of the Statutes of 1927, as amended, by adding thereunto Section 1.1, relating to mileage of superior court judges traveling on assignment

Referred to Committee on Judiciary.

Assembly Bill No. 1943: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Chapter 662 of the Statutes of 1927, as amended, by adding thereunto Section 1.1, relating to mileage of superior court judges traveling on assignment.

Referred to Committee on Judiciary.

Assembly Bill No. 1944: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 736c to the Political Code, relating to salaries of judges of the superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1945: By Messrs. Brown and Rosenthal—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of the Justices of the Supreme Court.

Referred to Committee on Judiciary.

Assembly Bill No. 1946: By Messrs. Brown, Dills, Rosenthal, and Rumford—An act to amend Section 53 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1947: By Mr. Brown—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1948: By Mr. Brown—An act to amend Section 1203b of the Penal Code and Section 826.5 of the Welfare and Institutions Code, relating to court procedures with respect to misdemeanors committed by minors and to probation.

Referred to Committee on Judiciary.

Assembly Bill No. 1949: By Mr. Brown—An act to amend Section 1851 of the Insurance Code, relating to rates and rating and other organizations.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1950: By Messrs. Elliott and George D. Collins—An act to repeal Chapter 8, comprising Sections 3100 to 3109, inclusive, of Division 4, Title 1 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Referred to Committee on Judiciary.

Assembly Bill No. 1951: By Mr. Crowley—An act to add Section 170 to the Vehicle Code, relating to special identification plates.

Referred to Committee on Transportation and Commerce.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER. Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 4

Assembly Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1952: By Mr. Moss—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Assembly Bill No. 1953: By Messrs. Moss, Fleury, and Stanley—An act making an appropriation for the education of mentally handicapped minors.

Referred to Committee on Social Welfare.

Assembly Bill No. 1954: By Messrs Moss, Fleury, and Stanley—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Referred to Committee on Social Welfare.

Assembly Bill No. 1955: By Mr. Morris—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1956: By Mr. Morris—An act to amend Sections 450, 450.1 and 451 of the Unemployment Insurance Act, relating to voluntary plans of disability benefits

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1957: By Mr. Morris—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred
Assembly Bill No. 602
Assembly Bill No. 1878

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 602—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1878—An act relating to revenues from tide and submerged lands, including provisions to establish a Special Deposit Fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 12—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control.

Bill read second time, and ordered engrossed.

Assembly Bill No. 43—An act to amend Section 13145 of the Government Code, relating to refunds by state agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 26—An act to amend Section 31679 of the Government Code, relating to the members of the County Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 695—An act to amend Section 43628 of the Government Code, relating to the disposition of the proceeds of bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

Assembly Bill No. 10—An act to add Section 9906.6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, after "person", insert ", other than a recipient of aid under the Welfare and Institutions Code,".

Amendment No. 2

On page 1, lines 3 and 4, of said bill, strike out "receives or is in any manner concerned in soliciting or receiving", and insert "who causes another or employs any other to solicit".

Amendment No. 3

On page 1, line 10, of said bill, strike out "felony", and insert "misdemeanor, except that upon a second or subsequent conviction of an offense under this section such person is guilty of a felony.

Each and every act committed in violation of this section is a separate and distinct offense"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 28—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "Flood Control Fund of 1946", and insert "General Fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 248—An act to add Section 13.7 to the Construction and Employment Act, relating to allocations to counties for repair, restoration or repair and restoration of public works, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, after "county", insert "to which this section applies".

Amendment No. 2

On page 1 of said bill, strike out line 8, and insert "or destroyed, subsequent to November 1, 1950, by storm or flood or flood conditions or".

Amendment No. 3

On page 1, line 10, of said bill, strike out "such storm or flood", and insert "storm or flood conditions".

Amendment No. 4

On page 1, line 15, of said bill, strike out "1949-1950", and insert "1950-1951".

Amendment No. 5

On page 2 of said bill, strike out lines 7 and 8, and insert "tion "

Amendment No. 6

On page 2, line 15, of said bill, after "completion", insert "; provided that this limitation shall not apply as to any amount in excess of that which would require matching funds from the county in excess of .0020 of its net total assessed valuation of property subject to local taxation for the Fiscal Year 1950-1951."

Amendment No. 7

On page 2 of said bill, between lines 20 and 21, insert

"The provisions of this section shall apply only to a county in regard to which:

(1) The total cost, as estimated and determined by the board, of projects eligible for allocations under this section exceeds fifty thousand dollars ($50,000), and

(2) The total assessed valuation of property subject to local taxation for the Fiscal Year 1950-1951 does not exceed thirty million dollars ($30,000,000)."

Amendment No. 8

On page 2, line 21, of said bill, strike out "three million dollars ($3,000,000)", and insert "three hundred and eighty thousand dollars ($380,000)".

Amendment No. 9

On page 2, line 23, of said bill, strike out "General", and insert "Postwar Unemployment and Construction".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

MOTION THAT JOURNAL BE CORRECTED TO SHOW MR. KILPATRICK WAIVED HIS PER DIEM

Mr. Dickey moved that the Assembly Journal for Thursday, January 18th, be corrected to show that Mr. Kilpatrick, who was excused for illness, was excused because of personal business elsewhere, and desired to waive his per diem

Mr. Doyle seconded the motion.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1958: By Mr. Fleury—An act to amend Section 3 of an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and

authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1959: By Mr. Fleury—An act to amend Section 20016 of the Government Code, relating to the State Employees' Retirement System in respect to prison members thereof.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1960: By Messrs. Stewart and Burke—An act to amend Sections 4740, 4741, 4742, 4744, 4745, 4748, 4760, 4761, and 4843 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1961: By Messrs. Porter, Evans, and Hollibaugh—an act to amend Section 6509 of the Business and Professions Code, relating to the inspection of barber shops and barber colleges.

Referred to Committee on Public Health.

Assembly Bill No. 1962: By Messrs. Munnell, Kilpatrick, and Rosenthal—An act to amend Sections 32 and 32½ of the Public Utilities Act, relating to rates for the transportation of property by carriers for hire.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1963: By Messrs. Munnell, Kilpatrick, and Rosenthal—An act to amend Section 10 of the Highway Carriers' Act, relating to rates of common carriers and other carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1964: By Mr. Hawkins—An act to amend Section 2173 of the Business and Professions Code, relating to admission of applicants to medical examinations.

Referred to Committee on Public Health.

Assembly Bill No. 1965: By Mr. Hawkins—An act to amend Sections 9359 and 9359.1 of the Government Code, relating to the retirement of legislators.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1966: By Mr. Hawkins—An act to amend Sections 9359 and 9359.1 of the Government Code, relating to the retirement of legislators.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1967: By Mr. Hawkins—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1968: By Mr. Hawkins—An act to add certain administrative provisions to the Revenue and Taxation Code, relating to state revenues and taxes and the administration thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1969: By Mr. Meyers—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 24: By Mr. Beck—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof, a new section to be numbered 6 5, relating to the number of members of the Senate.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

RECESS

At 11.35 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m , Mr. Stewart asked for, and was granted, unanimous consent that Mr. Conrad be excused for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 602

Assembly Bill No. 1878

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 21

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 488

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 327

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 327—An act to add Sections $2\frac{7}{8}$, $13\frac{1}{8}$, and $50\frac{1}{8}$ to the Public Utilities Act, relating to public utilities, declaring the urgency of this act to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 4—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Legislative Committee on Community Redevelopment and Housing Problems with particular reference to legislation supplementary to federal legislation.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 21

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read.

Senate Concurrent Resolution No. 21—Relative to the character and the achievements of the Honorable Bradford S. Crittenden.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1970: By Messrs. Lyon, Levering, and Waters—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1971: By Mr. Dolwig—An act to amend Sections 1b, 1c, and 2b of, to add Sections 2d and 5b to, and to repeal Section 1e of, the Municipal Improvement Act of 1913, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1972: By Mr. Dolwig—An act to add Article 5.5, comprising Sections 4805 and 4806, to Chapter 3 of Part 3 of Division 5 of the Health and Safety Code, relating to bonds of territory annexed to a county sanitation district, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1973: By Mr. Dolwig—An act to amend Section 4845.22 of the Health and Safety Code, relating to withdrawal of territory from a county sanitation district, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1974: By Mr. Dolwig—An act to repeal Sections 4770 and 6540 of the Health and Safety Code, relating to assessment proceedings by county sanitation districts and sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1975: By Mr. Dolwig—An act to add Sections 49.1 and 49.2 to an act entitled "An act to provide for the formation, government and control of overflow districts," approved May 1, 1911, relating to taxation by boards of trustees of overflow districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1976: By Mr. Dolwig—An act to add Sections 44.1 and 44.2 to the "Drainage District Act of 1903," relating to taxation by boards of directors of drainage districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1977: By Mr. Dolwig—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1978: By Mr. Dolwig—An act to amend Section 6880 of the Health and Safety Code, relating to annexation of territory to a sanitary district without an election.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1979: By Mr. Dolwig—An act to amend Section 6580 of the Health and Safety Code, relating to date of election of officers of sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1980: By Mr. Dolwig—An act to amend Sections 3202, 4053, 5705, 5708, 5709 of the Labor Code, relating to workmen's compensation insurance, and evidence in proceedings concerning benefits thereunder.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1981: By Mr. Dolwig—An act to amend Section 43 of the Public Utilities Act, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1982: By Messrs. Rosenthal and Munnell—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel.

Referred to Committee on Judiciary.

Assembly Bill No. 1983: By Messrs Rosenthal, Munnell, Brady, Sam L. Collins, Connolly, Dickey, and Dolwig—An act to amend Section 271 of, and to add Section 271.3 to the Vehicle Code, relating to negligent operators of motor vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1984: By Mr. Dunn—An act to provide for the Public School System and the raising of revenue therefor, and for that purpose to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, to add Sections 6711.5 and 6905 to said code, and to add Part 12, comprising Sections 27000 to 28179, inclusive, to the Revenue and Taxation Code, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1985: By Messrs. Dunn, Geddes, and Porter—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Sections 6711.5 and 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1986: By Messrs. Dunn, Geddes, and Porter—An act to amend Sections 7021, 7061, 7075, 7085, and 7165 of the Education Code, relating to basic state aid for school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1987: By Messrs. Dunn, Geddes, Porter, and Kirkwood—An act to repeal Sections 6711.5 and 6905 of the Education Code, and to add Section 6905 to said code, relating to the apportionment of the State School Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1988: By Messrs. Dunn, Geddes, Porter, and Kirkwood—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; and to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1989: By Mr. Lyon—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1990: By Mr. Lyon—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1991: By Mr. Lyon—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1992: By Mr. Lyon—An act to amend Sections 9854 and 10406 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1993: By Mr. Lyon—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code, relating to the motor vehicle fuel storage tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1994: By Mr. Lyon—An act to amend Sections 9154 and 9255 of the Revenue and Taxation Code, relating to the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1995: By Mr. Lyon—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1996: By Mr. Lyon—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1997: By Mr. Cloyed and Mrs. Niehouse—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1998: By Mr. Cloyed and Mrs. Niehouse—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1999: By Mr. Cloyed—An act to amend Sections 353.10, 351.9, 357.1, and 357 2 of, and to add Sections 352 and 358 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspection, and meat thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2000: By Mr. Cloyed—An act to add Section 4793.1 to the Health and Safety Code, relating to the proceeds of the sale of bonds of a county sanitation district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2001: By Mr. Cloyed—An act to amend Section 22280 of, and add Section 22281.1 to, the Water Code, relating to charges in irrigation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2002: By Mr. Cloyed—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2003: By Mr. Levering—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2004: By Messrs. Burkhalter, Doyle, Lindsay, and Erwin—An act to amend Section 1250 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 2005: By Mr. Sherwin—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2006: By Mr. Dolwig—An act to amend Section 4702 of the Labor Code, relating to death benefits under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2007: By Mr. Dolwig—An act to add Article 7.6 to Chapter 9, Division 3 of the Business and Professions Code, relating to contractors and their workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2008: By Mr. Dolwig—An act to add Section 11656.6 to the Insurance Code, relating to workmen's compensation insurance for contractors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2009: By Mr. Dolwig—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2010: By Messrs. Shaw and McFall—An act to add Sections 253.1 and 253.2 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2011: By Mr. Dolwig—An act to add Chapter 5.6, comprising Sections 2600 to 2640, inclusive, to Division 2 of the Business and Professions Code, and to amend Section 11501 of the Government Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapists, creating the Board of Physical Therapy Examiners and declaring the powers and duties of such board and prescribing penalties for violations hereof.

Referred to Committee on Public Health.

Assembly Bill No. 2012: By Mr. Hagen—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2013: By Mr. McCarthy—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2014: By Mr. Connolly—An act to add Section 736.12a to the Agricultural Code, relating to minimum prices for milk.

Referred to Committee on Agriculture.

Assembly Bill No. 2015: By Messrs. Connolly, Caldecott, Lincoln, Grant, Chapel, Dills, Evans, Hinckley, and Rosenthal—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 2016: By Mr. Smith (By Request)—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 2017: By Mr. Smith (By Request)—An act to amend Section 1186 of the Code of Civil Procedure, relating to the priority and effect of mechanics' liens and relating to bonds for benefit of mechanics.

Referred to Committee on Judiciary.

Assembly Bill No. 2018: By Mr. Smith (By Request)—An act to amend Sections 1184, 1184a and 1184b of the Code of Civil Procedure, relating to mechanics' liens, providing for notice of claim of lien to persons other than owner of property in which lien exists, providing for

withholding of payments due a contractor, providing for distribution of sums so withheld, and providing for action to enforce liens.

Referred to Committee on Judiciary.

Assembly Bill No. 2019: By Mr. Lindsay—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2020: By Mr. Lindsay—An act to add Article 5 to Chapter 2 of Division 9 of the Public Resources Code, relating to loans to individuals for soil conservation purposes, providing for the issuance of revenue bonds for such purpose and making an appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2021: By Mr. Lindsay—An act to add Chapter 4 comprising Sections 10500 to 10526, inclusive, to Part 2 of Division 2 of Title 2 of the Government Code, relating to the Legislative Library and providing for the appointment of a Librarian responsible to a legislative committee.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2022: By Mr. Lindsay—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2023: By Mr. George D. Collins—An act to amend Sections 108, 148, 160, and 181 of, and to add Sections 158.5, 158.6, 224, 239.5, 239.6, and Division 4a to, the Vehicle Code; to amend Sections 100, 108, 110, 1371, 1390, 10511, 11551, 11580, 11600, 11602, 11604, and 12054 of, and to add Section 108.5 to, the Insurance Code, and to add Chapter 1.5 and Chapter 1.6 to Part 3, Division 2, of the Insurance Code; relating to the establishment and creation of a complete system of motor vehicle accident compensation for the protection of persons injured or the dependents of persons killed by reason of the operation of motor vehicles on the highways of this State; compulsory insurance against the liability created by this act; the regulation of motor vehicle accident insurers; the abrogation, in certain cases of the right of action for damages arising out of the operation of motor vehicles; and the making of an appropriation for the purposes of this act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2024: By Messrs. George D. Collins, Berry, Gaffney, and Meyers—An act to repeal Section 700 of the Welfare and Institutions Code, relating to the minors who are subject to the jurisdiction of the juvenile court.

Referred to Committee on Judiciary.

Assembly Bill No. 2025: By Messrs. George D. Collins, Berry, Brady, Connolly, Gaffney, Maloney, McCarthy, and Meyers—An act to repeal Section 660 of the Welfare and Institutions Code, relating to juvenile halls.

Referred to Committee on Social Welfare.

Assembly Bill No. 2026: By Messrs. George D. Collins, Gaffney, Berry, Brady, Maloney, McCarthy, and Meyers—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2027: By Messrs. George D. Collins and Berry—An act to add Section 203a to the Civil Code, relating to parents' liability for torts of minor children.

Referred to Committee on Judiciary.

Assembly Bill No. 2028: By Messrs. George D. Collins, Berry, Brady, Connolly, Gaffney, Maloney, McCarthy, and Meyers—An act to add Sections 3055, 3055a, 3055b, 3055c, 3055d, and 3055e to the Civil Code to provide for liens in favor of public hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 25: By Mr. Lindsay—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 31e to Article IV thereof, relating to loans for soil conservation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 26: By Messrs. George D. Collins, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 27: By Messrs. George D. Collins, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 9 to Article XI thereof, relating to the control of cities and cities and counties over municipal affairs.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 12: By Messrs. Lindsay and Lowrey—Relative to memorializing the Congress of the United States not to permit the condemnation of land for recreational purposes.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 18: By Mr. Lowrey—Relative to the expenditure of state highway funds.

Referred to Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 19, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Transmitted herewith are five copies of a Report to the Department of Public Works, dated January, 1951, respecting the feasibility of financing and construction, under provisions of the California Toll Bridge Authority Act, a toll highway crossing between the County of Marin and the County of Contra Costa. The investigations and studies upon which the report is based were conducted, and the report was prepared by, the Division of San Francisco Bay Toll Crossings, pursuant to the appropriation provided by Item 245.1 of the Budget Act of 1950.

Copies of the report will be furnished to the Members of the Assembly for their information.

Yours very truly,

C. H. PURCELL, Director of Public Works

One copy of above five transmitted copies of reports ordered referred to the Committee on Conservation, Planning, and Public Works.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2029: By Messrs. George D. Collins, Elliott, and Thomas—An act to create and provide for a Prepaid Health Service System for the people of the State of California, and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 2030: By Mr. Caldecott—An act providing that the State of California may enter into a compact with the States of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, and the Territories of Alaska and Hawaii, or any one or more of them, to promote western regional cooperation in higher education.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2031: By Mr. Caldecott—An act to add Chapter 6, comprising Sections 450 to 453, inclusive, to Division 1 of the Business and Professions Code, relating to the practice of certain professions during periods of emergency, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 2032: By Mr. Caldecott—An act to repeal Section 5883 and to amend Sections 5901, 5902, 5910, 5911, 5930, and 5931 of the Elections Code, relating to absentee voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2033: By Mr. Caldecott—An act to amend Sections 34856 and 34857 of, and to add Sections 37209 and 40803.5 to, the Government Code, relating to cities of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2034: By Mr. Caldecott—An act to provide for the establishment, organization, government and powers of multiple service districts and authorizing such districts to levy taxes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2035: By Mr. Caldecott—An act to amend Section 6051 of the Revenue and Taxation Code, relating to the state sales and use tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2036: By Mr. Caldecott—An act to amend Section 16100 of the Business and Professions Code, relating to business licensing by counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2037: By Mr. Porter—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sterilization of patients in state hospitals or state homes under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 47

Resolved by the Assembly of the State of California, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 47, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

By Mr. Dickey:

House Resolution No. 48

WHEREAS, During the constitutional recess, the services of the officers, attaches, and employees of the Assembly will not be required, with certain exceptions; and

WHEREAS, It will be necessary for the Chief Clerk of the Assembly to conduct the business of the Assembly and to perform the duties provided by law, the Standing Rules of the Assembly and resolutions adopted by the Assembly; and

WHEREAS, There is considerable exacting detail pertaining to this session of the Legislature to be given attention, and a great amount of correspondence to be answered, and it will be necessary to carefully check the History and the Journal in order that all references of bills may be accurately shown; now, therefore, be it

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing books, bills, and all other records of the Assembly and filing with the Secretary of State such papers as ought to be filed in that office as provided by law and the indexing of the Semi-Final Calendar, which the State Printer is hereby directed to index under the supervision of the Chief Clerk of the Assembly, and the said Chief Clerk is hereby directed to correct, compile, and otherwise prepare the Journal of the Assembly for the 1951 Session of the Legislature, and to correct and perfect the records of the Assembly so that they may be properly filed after the sine die adjournment of the Assembly, and to compile and prepare and cause to have printed a Semi-Final Calendar of Legislative Business for the 1951 Session of the Legislature, said Calendar to contain titles of all measures introduced and their authors, the number of bills that have become law, and the number of resolutions that have been filed with the Secretary of State, and those bills that have been read the second time, and any and such information as will provide a history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the Semi-Final History is printed, Arthur A. Ohnimus, Chief Clerk of the Assembly, is directed to forward one copy of this book to each Member of the Assembly and to each public library of the State which may apply for some; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a comparable rate paid during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 48, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Nichouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals for Monday, January 8, 1951; Tuesday, January 9, 1951; Wednesday, January 10, 1951; Thursday, January 11, 1951; Friday, January 12, 1951; Monday, January 15, 1951; Tuesday, January 16, 1951; Wednesday, January 17, 1951; Thursday, January 18, 1951; and Friday, January 19, 1951, be approved as corrected by the Minute Clerk.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

ANNOUNCEMENT

Mr. Kirkwood announced that he is holding a bill at his desk relative to school assistance (transportation and growth) and that anyone desiring to place his name upon the bill as a co-author may come to his desk, and affix his signature to the bill.

CONSIDERATION OF HOUSE RESOLUTION NO. 15

By Mr. Dickey:

House Resolution No. 15

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of state officers, members and officers of both houses of the Legislature, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, sessions of the California Legislature, record of legislation, the last primary and general election vote, and such other information as he may deem useful, to be printed and distributed pursuant to the statutory requirements, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in the sum not to exceed one thousand dollars ($1,000) to pay for such services, and the State Controller is authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and the State Treasurer is hereby ordered and directed to pay the same, and the Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above during the said constitutional recess, and to furnish vouchers to the State Controller for any other moneys expended by him pursuant to the terms of this resolution, and the State Controller is hereby directed to draw his warrant for the payment of such bills as may be incurred by the Chief Clerk in carrying out the purposes of this resolution.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 7

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1878

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1878, out of order, as it presents a case of urgency, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1878

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 1878 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1878—An act relating to revenues from tide and submerged lands, including provisions to establish a special deposit fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1878:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 19, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1878, "An act relating to revenues from tide and submerged lands, including provisions to establish a special deposit fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

Approval of this measure at this time is necessary to continue uninterrupted development and production of oil and gas from the tide and submerged lands along the Coast of California until final adjudication of the issues now pending in the United States Supreme Court in the case of *United States* vs *California*.

I therefore recommend consideration of Assembly Bill 1878 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 1878.

Motion for Committee of the Whole

Mr. Lowrey moved that the Assembly resolve itself into a Committee of the Whole for the purpose of permitting the State Controller Hon. Thomas H. Kuchel, to give information relative to Assembly Bill No. 1878.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Sam L Collins presiding.

Assembly Bill No 1878 considered.

Motion That Committee Do Now Arise, and Report Back to the Assembly

Mr. Geddes moved that the committee do now arise, and report back to the Assembly.

Point of Order

Mr. Beck arose to the following point of order: That the motion by Mr. Geddes is not in order because Mr. Geddes spoke on the bill prior to making his motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Committee Do Now Arise, and Report Back to the Assembly

Mr. Collier moved that the committee do now arise, and report back to the Assembly.

Mr Doyle seconded the motion.

Motion carried.

IN ASSEMBLY

Speaker Sam L. Collins presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No 1878.

SAM L. COLLINS, Chairman

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1878

The question being on the adoption of the urgency clause to Assembly Bill No. 1878.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—Dills, Evans, and Hollibaugh—3.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Dills, Evans, and Hollibaugh—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 21

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 21, out of order, at this time.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 21

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 21?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out ", and the", and strike out all of lines 6 and 7; and insert a period

Amendment No. 2

On page 1 of said bill, between lines 7 and 8, insert

"SEC. 2 The unexpended and unencumbered balance of any money appropriated by Item 79.5 of the Budget Act of 1950 shall be available to and including June 30, 1951."

Amendment No. 3

On page 1, line 8, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 1, line 10, of said bill, after "($1,800,000)" insert ", in augmentation of Item 79.5 of the Budget Act of 1950".

Amendment No. 5

On page 1, line 11, of said bill, strike out "supervision,".

Amendment No. 6

On page 1, line 13, of said bill, after "inclusive", insert a period and strike out ", of which not more than fourteen"; strike out all of lines 14 through 21, inclusive

Amendment No. 7

On page 1, line 22, of said bill, strike out "3", and insert "4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 21 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 21 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1220

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 4

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 4, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4

Assembly Concurrent Resolution No. 4—Relative to the creation of the Joint Legislative Committee on the Golden Gate Bridge and Highway District.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Butters, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, and Tomlinson—50

NOES—Erwin, Gubser, Hahn, Kirkwood, Lipscomb, and Smith—6.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 3—Relative to the tidelands and submerged lands adjacent to the coastal states.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 4

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 4, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4

Assembly Joint Resolution No. 4—Relative to lands beneath the navigable waters adjacent to the coasts of coastal states.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 35

Mr. Munnell asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 35, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 35

Assembly Bill No. 35—An act to amend Section 1596.1 of the Education Code, relating to school sites.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PRELIMINARY REPORT BE PRINTED IN THE JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that a letter of transmittal and a Preliminary Report of the Assembly Interim Committee on Public Lands be ordered printed in the Journal, and that the report be ordered printed in 10-point type.

(Letter of transmittal and preliminary report will appear prior to the motion to adjourn)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 11

Mr. Gubser asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 11, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 13—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 4
Senate Concurrent Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 21

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 21, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21

Senate Concurrent Resolution No. 21—Relative to the character and the achievements of the Honorable Bradford S. Crittenden.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION THAT REMARKS BY MR. McFALL RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 21 BE PRINTED IN JOURNAL

Mr. Doyle moved that the remarks by Mr McFall, relative to Senate Concurrent Resolution No 21, be ordered printed in the Journal.

Mr. Meyers seconded the motion.

Motion carried.

Remarks by Mr. McFall Relative to Senate Concurrent Resolution No. 21

Mr. Speaker and Members of the Assembly: It is my honor and privilege to represent the district represented by the Honorable Bradford S Crittenden during the first 10 years of his 30 years in the Legislature. The people of my district and San Joaquin County are deeply appreciative of the exceptional public service rendered to them and to the entire State during his career In their name I move the adoption of *this resolution recognizing and commending the high character and achievements of* Senator Bradford S. Crittenden.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 4

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 4, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Resolution read.

The roll was called and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2038: By Messrs. Berry and Gaffney—An act to amend Section 802 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 2039: By Messrs. Gubser and Kirkwood—An act to amend Section 6610.3 of, and to add Section 6612 to, the Welfare and Institutions Code, relating to the admission of persons believed to be mentally ill into mental institutions by application of a local health officer.

Referred to Committee on Social Welfare.

Assembly Bill No. 2040: By Mr. Tomlinson—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 2041: By Messrs. Geddes, Chapel, Doyle, and Erwin—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2042: By Messrs. Geddes, Chapel, Doyle, and Erwin—An act to amend Section 15 of the Los Angeles County Flood Control Act, relating to the duties of the purchasing agent of the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2043: By Mr. Davis—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Section 13 to, the Fish and Game Code, relating to the enforcement and administration of

the laws relating to fish and game, relieving the Fish and Game Commission of the administration of the Division of Fish and Game, Department of Natural Resources.

Referred to Committee on Fish and Game.

Assembly Bill No. 2044: By Mr. Davis—An act to add Section 1160 to the Fish and Game Code, relating to property damage by hunters.

Referred to Committee on Fish and Game.

Assembly Bill No. 2045: By Mr. Davis—An act to amend Section 1417 of the Fish and Game Code, relating to penalties for violation of said code.

Referred to Committee on Fish and Game.

Assembly Bill No. 2046: By Mr. Davis—An act to add Section 1162 to the Fish and Game Code, relating to possession of firearms on highways or other public ways.

Referred to Committee on Judiciary.

Assembly Bill No. 2047: By Mr. Davis—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

Referred to Committee on Judiciary.

Assembly Bill No. 2048: By Mr. Davis—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated.

Referred to Committee on Fish and Game.

Assembly Bill No. 2049: By Mr. Davis—An act to add Section 1152.1 to the Fish and Game Code, relating to unlawful use of vehicles in hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 2050: By Mr. Davis—An act to add Section 465.4 to the Vehicle Code, relating to signs at deer crossings.

Referred to Committee on Fish and Game.

Assembly Bill No. 2051: By Mr. Davis—An act to add Section 1152.2 to the Fish and Game Code, relating to forfeiture of vehicles and equipment used in violating provisions of said code.

Referred to Committee on Judiciary.

Assembly Bill No. 2052: By Mr. Davis—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights.

Referred to Committee on Fish and Game.

Assembly Bill No. 2053: By Mr. Davis—An act to add Section 157.5 to the Vehicle Code, relating to license plates.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2054: By Messrs. Kilpatrick and Munnell—An act to amend Section 7106 of the Welfare and Institutions Code and to repeal Sections 7107, 7108, and 7109 of the Welfare and Institutions Code, relating to chronic inebriates.

Referred to Committee on Social Welfare.

Assembly Bill No. 2055: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Section 740 5 of the Welfare and Institutions Code, relating to the cost of care during mental health observation of wards of the juvenile court.

Referred to Committee on Social Welfare.

Assembly Bill No. 2056: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Sections 5260 and 7012 of the Welfare and Institutions Code and to repeal Sections 5262.6, 7009, 7010, 7011, and 7015 of the Welfare and Institutions Code, relating to feeble-minded persons and other incompetents not insane.

Referred to Committee on Social Welfare.

Assembly Bill No. 2057: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Section 5356 of the Welfare aid Institutions Code and to repeal Sections 5356.1 and 5356.2 of the Welfare and Institutions Code, relating to narcotics addicts.

Referred to Committee on Social Welfare.

Assembly Bill No. 2058: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Section 7060 of the Welfare and Institutions Code and to repeal Sections 7062, 7063, and 7064 of the Welfare and Institutions Code, relating to defective of psychopathic delinquents.

Referred to Committee on Social Welfare.

Assembly Bill No. 2059: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Sections 869 and 869.5 of the Welfare and Institutions Code and to repeal Section 1201 of the Welfare and Institutions Code, relating to support of persons within the jurisdiction of the Youth Authority and the Juvenile Court, and institutions therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2060: By Mr. McCollister—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2061: By Messrs. Kirkwood, Dunn, Doyle, Gaffney, Berry, Coats, Davis, Erwin, Fleury, Grant, Kelly, Klocksiem, Lincoln, Luckel, Moss, and Porter—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, and 9 of an act entitled "An act to repeal Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled "An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16 5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and

to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,'' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code, all relating to the Public School System,'' approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 11.5, 12, and 13 of said act; to repeal Sections 5153.3 and 7091 of the Education Code; to repeal Articles 2 and 3 of Chapter 15 of Division 3 of said code; to add Sections 5153.3 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2062: By Messrs. Kirkwood and Dunn—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Section 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2063: By Messrs. Kirkwood and Lincoln—An act to repeal Article 2 of Chapter 1, Title 7 of the Government Code, and to add Article 2, Chapter 1, Title 7 to the Government Code, relating to conservation and planning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2064: By Messrs. Kirkwood and Tomlinson—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to the care of chronically ill and infirm aged persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 2065: By Mr. Kirkwood—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Section 6301 5 to, the Education Code, relating to school district budgets.

Referred to Committee on Education.

Assembly Bill No. 2066: By Mr. Dills (By Request)—An act to add Section 52.5 to the Civil Code of the State of California, relating to admissions to hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 2067: By Mr. Cooke—An act to add Sections 1511.1, 2020 1, and 3080 01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients.

Referred to Committee on Social Welfare.

Assembly Bill No. 2068: By Mr. Davis—An act to add Section 1163 to the Fish and Game Code, relating to shooting near dwellings.

Referred to Committee on Fish and Game.

Assembly Bill No. 2069: By Messrs. Collier, Levering, Grant, Klocksiem, and Clarke—An act to add Division 8 comprising Sections 9000 to 9018, inclusive, to the Welfare and Institutions Code, relating to regulation of solicitation for charitable contributions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2070: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2071: By Mr. Thomas—An act to amend Section 845 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2072: By Mr. Thomas—An act to repeal Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118.5.

Referred to Committee on Fish and Game.

Assembly Bill No. 2073: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2074: By Messrs. Fleury and Moss—An act to amend Section 26 of the Construction and Employment Act, relating to the allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2075: By Mr. McCollister—An act to amend Sections 20890 and 20894.5 of the Government Code, and Sections 14449 and 14495.2 of the Education Code, relating to Public Retirement System

in respect to absence of members in military service and contributions therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 2076: By Messrs. Burkhalter, Beck, and Klocksiem—An act to regulate and license watchmakers, and to create a State Board of Examiners in Watchmaking, prescribing the powers and duties thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2077: By Mr. Burkhalter—An act to amend Section 1900 of the Labor Code, relating to public agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2078: By Mr. Dunn—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2079: By Messrs. Fleury, Moss, Brown, and Caldecott—An act to amend Sections 13776, 13777, 13778, 13779, and 13780 of, and to add Sections 13782 and 13783 to, Chapter 8, Part 3, Division 3, Title 2, of the Government Code, relating to social security coverage for employees of public agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2080: By Mr. Waters—An act to add Section 4644 to the Education Code, relating to unified school districts.

Referred to Committee on Education.

Assembly Bill No. 2081: By Mr. Waters—An act to amend Section 1648 3 of the Insurance Code, relating to insurance brokers' licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2082: By Mr. Luckel and Mrs. Niehouse—An act to add Section 1142 to the Revenue and Taxation Code, relating to the taxation of vessels.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2083: By Mr. Rosenthal (By Request)—An act to add Sections 578 2, 760, 761, 762, 763, and 764 to the Welfare and Institutions Code, relating to jurisdiction of the juvenile court and providing for traffic referees to hear cases involving the violation of any provision of the Vehicle Code constituting a misdemeanor by a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 2084: By Mr. Luckel—An act to amend Section 420 of the Fish and Game Code, relating to sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2085: By Messrs. Fleury and Moss—An act to amend Section 6028.1 of the Penal Code, relating to special crime study commissions.

Referred to Committee on Judiciary.

Assembly Bill No. 2086: By Messrs. Grant, Kirkwood, Lipscomb, Mrs. Niehouse, Messrs Belotti, Berry, Butters, Coats, Connolly, Fleury, Gaffney, Geddes, Henderson, Hollibaugh, Kelly, Klocksiem, Maloney, McCarthy, McGee, Meyers, and Porter—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Referred to Committee on Education.

Assembly Bill No. 2087: By Mr. Evans—An act to add Section 3½ to the Highway Carriers Act, regulating the for-hire use of public highways.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2088: By Messrs. Morris, Hahn, and Levering—An act to add Article 10, comprising Sections 10191 to 10195, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to the reading of the Bible in public schools.

Referred to Committee on Education.

Assembly Bill No. 2089: By Mr. Rosenthal—An act to add Article 8 to Chapter 2, Part 2, Division 4 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2090: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.4 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 2091: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.3 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to attaches in municipal courts in judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2092: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.5 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the

municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to secretary and jury commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2093: By Messrs. Rosenthal and Munnell—An act to add Section 41.2 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to attaches in municipal courts in judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2094: By Messrs. Rosenthal and Munnell—An act to add Section 41 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to classification of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2095: By Messrs. Rosenthal and Munnell—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2096: By Messrs. Rosenthal and Munnell—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2097: By Messrs. Rosenthal and Munnell—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 2098: By Messrs. Rosenthal and Munnell—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2099: By Messrs. Rosenthal and Munnell—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from judgments in small claims courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2100: By Messrs. Rosenthal and Munnell—An act to add a new section numbered 25a to, and to amend Section 25 of, an act entitled, "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, establishing and providing for a Municipal Court Fund for municipal courts in cities of the first and one-half class, and providing for the charges to be made against such fund, the provision of facilities for such courts and division of certain net revenues derived from fines, penalties, forfeitures and fees of such court, and superseding any provisions of law inconsistent therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 2101: By Messrs Rosenthal and Munnell—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2102: By Messrs. Rosenthal and Munnell—An act to amend Section 117d of the Code of Civil Procedure, relating to time for appearance and notice thereof to defendant.

Referred to Committee on Judiciary.

Assembly Bill No. 2103: By Messrs. Rosenthal and Munnell—An act to amend Section 1031 of the Code of Civil Procedure, relating to costs in municipal and justices' courts where the prevailing party recovers less than the sum of one hundred dollars ($100) principal and interest.

Referred to Committee on Judiciary.

Assembly Bill No. 2104: By Messrs. Rosenthal and Munnell—An act to add Section 41 1 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2105: By Messrs. Rosenthal, McGee, and Munnell—An act to add Section 41 1 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2106: By Messrs. Rosenthal, McGee, and Munnell—An act to add Section 21 1 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2107: By Messrs. Rosenthal, McGee, and Munnell—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the elect on and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2108: By Messrs Rosenthal, McGee, and Munnell—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary

Assembly Bill No. 2109: By Messrs. Rosenthal, McGee, and Munnell—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2110: By Messrs. Rosenthal, Beck, McGee, and Munnell—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2111: By Messrs. Rosenthal, Beck, Munnell, and McGee—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2112: By Messrs. Rosenthal, Beck, Munnell, and McGee—An act to add a new section numbered 22a to, and to amend Section 22 of, an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, establishing and providing for a Municipal Court Fund for municipal courts in cities of the first and one-half class, and providing for the charges to be made against said fund, the provision of facilities for such courts and division of certain net revenues derived from fines, penalties, forfeitures and fees of such court, superseding provisions of law inconsistent therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 2113: By Messrs. Rosenthal, Munnell, and McGee—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2114: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.6 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointement of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traffic commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2115: By Messrs. Rosenthal and Beck—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2116: By Messrs. Rosenthal, Munnell, and McGee—An act to amend Section 1462 of the Penal Code, relating to criminal jurisdiction of infants.

Referred to Committee on Judiciary.

Assembly Bill No. 2117: By Messrs. Rosenthal, Munnell, and McGee—An act to amend Section 1462 of the Penal Code, relating to criminal jurisdiction of insane persons.

Referred to Committee on Judiciary.

Assembly Bill No. 2118: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Referred to Committee on Judiciary.

Assembly Bill No. 2119: By Messrs. Klocksiem, Grant, Dunn, Shaw, Collier, Hahn, Lipscomb, and McGee—An act to add Chapter 7 to Division 12 of the Education Code, relating to loans for deserving students, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 2120: By Messrs. Lipscomb, Waters, McCarthy, Connolly, Hahn, Rosenthal, and Smith—An act to add Chapter 3, comprising Sections 15700 to 15725, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Referred to Committee on Revenue and Taxation

RESOLUTIONS

The following resolution was offered:

By Mr. Davis:

House Resolution No. 49

Expressing condolences on the passing of James H. McClelland

WHEREAS, It is with regret that the Members of the Assembly have learned of the passing on August 10, 1950, of James H. McClelland, Lassen County Supervisor; and

WHEREAS, James H. McClelland was a prominent rancher in Lassen County, a supervisor for that county for the past 24 years, and one of the organizers and a Director of the Lassen Production Credit Association, and has taken an active part in the Lassen County Livestock Show from its beginning; and

WHEREAS, James H. McClelland has a long and splendid record of civic activity in Lassen County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of James H McClelland and most sincere sympathy for his bereaved widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of James H. McClelland; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. James H McClelland, his widow, and to Pierce McClelland of Standish, Bernard McClelland of Susanville, and Mrs Merlyn Mulroney of Susanville, his children.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced, as a reminder, that after today no Member of the Assembly may introduce a departmental bill. He announced, also, that departments were notified by him as early as last October, and at later dates, that all departmental bills had to be ready for introduction during the first two weeks of the session.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2121: By Messrs. Lipscomb, Waters, McCarthy, Connolly, Hahn, Rosenthal, and Smith—An act to amend Section 6701 of, and to add Sections 6703, 6704, and 6705 to, the Revenue and Taxation Code, relating to security for payment of obligations under the Sales and Use Tax Law, and to provide for certain exceptions in the application of these security requirements.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2122: By Mr. Hansen—An act to amend Section 260.1 of the Agricultural Code, relating to bovine brucellosis control.

Referred to Committee on Agriculture.

Assembly Bill No. 2123: By Mr. Hansen—An act to amend Sections 735.1 and 735.4 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2124: By Mr. Hansen—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2125: By Mr. Hansen—An act to add Sections 262 and 263 to the Agricultural Code, relating to bovine brucellosis.

Referred to Committee on Agriculture.

Assembly Bill No. 2126: By Mr. Kilpatrick—An act to add Chapter 5.5, comprising Sections 7150 to 7158, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state hospitals for inebriates and the regulation thereof, and to make an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2127: By Mr. Gubser—An act to add Section 657 to the Agricultural Code, relating to imitation milk and imitation cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2128: By Mr. Gubser—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargerine.

Referred to Committee on Agriculture.

Assembly Bill No. 2129: By Mr. Morris—An act to amend Sections 20013 and 20014 of, and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to, the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2130: By Mrs. Niehouse, Messrs. Luckel, and Cloyed—An act to add Sections 14745 and 14684 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils and providing for the transfer of the funds of the teachers in such systems to the State Teachers' Retirement System.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 12
Assembly Bill No. 26
Assembly Bill No. 40
Assembly Bill No. 43
Assembly Bill No. 694
Assembly Bill No. 695
Assembly Bill No. 696

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2131: By Mr. Brown—An act to amend Sections 1 and 1.5 of, and to add Sections 1.1, 1.2, 1.3, and 1.4 to, the Judges' Retirement Act, and to amend Section 2 of, and to add Sections 4.7 and 7.5 to, the Judges' Retirement Fund Act, relating to the State System for the Retirement of Judges and Justices.

Referred to Committee on Judiciary.

Assembly Bill No. 2132: By Mr. Brown—An act to amend Section 29610 of, and to add Section 29619 to, the Government Code, to add

Section 728 to the Political Code, and to add Section 39.7 to the Code of Civil Procedure, relating to the conferences of judges called by the Chairman of the Judicial Council.

Referred to Committee on Judiciary.

Assembly Bill No. 2133: By Mr. Stewart—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2134: By Mr. Stewart—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 28: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

Referred to Committee on Constitutional Amendments.

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC LANDS

LETTER OF TRANSMITTAL

December 15, 1950

Speaker of the Assembly
California Legislature
Sacramento, California

Pursuant to House Resolution No. 121, passed at the 1949 Regular Session of the California Legislature, the Assembly Committee on Public Lands herewith submits a brief initial report covering its findings and recommendations.

In view of the similar work carried on by the Senate Committee on Public Lands headed by Senator Edwin J. Regan, the committee worked in close cooperation with the committee to avoid, if possible, a duplication of effort.

The committee attended two hearings held jointly with the Senate Committee on Public Lands, one in Sacramento and one in Los Angeles, and other hearings in Alturas and Roseville.

Grateful acknowledgement is made of the many federal, state, and local officials and private organizations who so generously provided factual information.

Respectfully submitted,

LLOYD W. LOWREY, Chairman
MARVIN SHERWIN
FRANCIS C. LINDSAY

STATEMENT OF EXPENDITURES

Total funds available from Assembly Contingent Fund under H. R. 121 of 1949 Regular Session		$3,000.00
Additional funds made available		None
Expenditures:		
To committee members:		
For per diem	$300.00	
For mileage	$126.00	
		$426.00
To committee employees:		
For salary	$1,400.00	
For per diem	$121.50	
For mileage	$115.78	
		$1,637.28
To office expenses		None
Total expenditures as of January 10, 1951		$2,063.28
Balance available as of January 10, 1951		$936.72

STATE PROPRIETARY LANDS

As a beginning, an attempt was made to inventory the state proprietary lands The method used was to procure from agencies of the State a list of the lands under their jurisdiction and compare and reconcile it with the records of the Land Sales and Records Section, Division of State Lands. Five agencies were checked in this manner. It was found, that in those agencies maintaining what were considered by the committee's consultant as good records, a reconciliation was not possible.

We do believe the records of the Land Sales and Records Section of the Division of State Lands to be accurate as to lands owned by the State in fee at this date However, as the information recorded is, for the most part, taken from the original deed alone as it passes through this office and the fact that these deeds or decrees of condemnation alone do not always contain information regarding the acreage, cost to the State and valuation, a statistical inventory as to total acreage and value of property owned by the State at this time is an impossibility. Whether these records will remain correct in the future depends entirely on the routing of information on land transactions through this section. Failure to reconcile departmental land records with those of the Division of State Lands was usually due to lack of information on land exchanges between state agencies and disposals of land without the knowledge of that office In two instances agencies claimed land for which the Division of State Lands could find no record.

The difficulty of gathering records of state proprietary lands from the agencies was for the most part due to the different manner or form of real property accountability exercised in each department. This one fact, we believe, should be ample proof of the need of a state-wide property accountability system of forms and reports It is also strongly felt that a loose-leaf manual of procedures with respect to all public land

(except tax-deeded and highway land) transactions, such as acquisition, disposal, exchange between departments, leasing or renting in or out, routing of correspondence and recordation, should be set up, and that control of all these functions be placed in a division of the State Government. This question requires further study to arrive at a sound solution and it is the committee's intent to do so if continued by the Legislature.

It was noted with some concern that the original deeds upon transmittal to the Secretary of State for filing are sometimes held in the archive section for periods up to nine months before they are filed. A discussion of this problem with the Archivist revealed that it was due to a shortage of help of which he stated the Secretary of State was aware. It is recommended a study of the work load, procedures, and personnel of this section of the Secretary of State's Office be made by the Business Management Section of the Division of Budgets and Accounts of the Department of Finance to determine the corrective measures and procedures to follow to remedy this situation

With respect to the management and use of state proprietary land and school lands, it was found that of the five agencies studied, three did not have a surplus or excess property disposal plan or recurring survey of a nature to reveal surplus or excess real property that might be returned to private ownership. The lack of such plans indicates need for further study of all other agencies in this respect by the committee. We believe each department exercising jurisdiction over proprietary lands should make such a survey biannually, and then follow up with the necessary action to return those properties or portions of properties found in excess of foreseeable use to private ownership and the tax rolls at the earliest opportunity. It was noted that in most cases of trespassing on school lands of the State, the matter is brought to the attention of the Division of State Lands by cooperative outside sources. It is recognized that the division does not have the personnel to police the variously located parcels of school lands in the State Each report of trespass is investigated and claims for rental or damages are pressed if conditions warrant. It is further understood that considerable recovery of moneys due the State may be expected in the form of leases, etc., from users of the inland water tide and submerged lands, and navigable rivers and sloughs such as San Francisco Bay, Humboldt Bay and the Sacramento-San Joaquin Delta. This matter, too, will be the subject of further study.

The authorization under the Public Resources Code *that* permits the State Land Commission to operate and make sales to individuals of state school lands in accordance with the rules and regulations of the commission and at a price fixed by the commission results in a situation that leaves personnel of that division open to criticism in the consummation of sales where no bids are requested but negotiations are held with the buyer alone.

This is particularly so when the individual who makes the appraisal also handles most of the negotiating and in addition makes recommendations to the commission with respect to the sale.

It would appear on the surface, that to relieve and protect the personnel of the division from any criticism, it might be well to have all

land appraisals made by another state agency. This question will receive additional study by the committee if it is continued.

In order to reduce the removal of additional lands from the tax rolls for recreational purposes, we have been assured that, if the United States Forest Service is approached by state officials, long term leases may be obtained on recreational areas within the national forests for development and administration by the State.

TAX-DEEDED LANDS

The management and use of tax-deeded lands were spot checked and it appeared that the Division of Tax-Deeded Lands of the Controller's Office is doing a satisfactory job within their personnel limitations as determined from inspection of the Sacramento office and the field offices at Los Angeles and Ventura. The redemption and return of delinquent properties to the tax rolls prior to deed to the State is one of the functions of this office, and this they are able to do in the majority of cases by proper notification of the property owner. Failing this, an effort is made to interest the adjoining property owner to make application for sale at public auction or lease the property. From this point onward, the return of the property to the tax rolls is the responsibility of the local tax collector. Because of the large number of parcels involved, control with respect to trespassers on unimproved tax-deeded property considering the small number of personnel administering this property, is in the same position as the Division of State Lands with respect to school lands. Personnel of the Tax-Deeded Land Division maintain contact and cooperation with the local county tax officials. Tax-deeded lands have been on the decline for at least seven years as demonstrated by the reduction of rentals of improved tax-deeded property in Los Angeles County. This year there are but eight rentals while at one time there were over four hundred such rentals.

From a state-wide questionnaire to the tax collectors of the 58 counties, sufficient replies were received to indicate that certain counties are making determined efforts to return tax-deeded properties to the rolls through tax collector initiated public auctions, using news stories and mailing lists to promote and stimulate interest while others await applications to prompt sales. It is realized that in some instances the actions or restrictions placed by the county boards of supervisors on tax collectors in the form of minimum bids and refusal to approve sales hinder the return of some of these properties to the rolls and that is their prerogative. The ultimate responsibility for the return of tax-deeded property to the rolls rests with the local county officials, and they are the recipients of the benefits derived therefrom We recommend that such officials diligently pursue the matter of initiating sales and promoting interest in such sales to the ultimate end that more property is returned to the tax rolls. It is further recommended, that if an improvement in the situation regarding tax collector initiated sales is not found in one or two years' time, that consideration be given to legislation requiring each county to hold at least one public auction of the tax-deeded properties each year.

This division has a manual of procedure with respect to handling of repetitive transactions by the field agents, but a need was seen for a manual of office procedure for use by the clerical staff of the field branches as these clerical personnel must be unsupervised during the agent's absence in the field and consequently need a guide to refer to.

HIGHWAY LANDS

The public lands under jurisdiction of the Division of Highways were examined from the management, use an inventory viewpoint.

The inventory was dropped almost immediately as the time and services of individuals involved would be too costly to serve any purpose. An estimate received of the number of acres occupied by the highways of the State based on the linear miles (about 14,000), with an average right-of-way width of 100 feet, was 170,000 acres.

The administration as to records, titles, and disposals of excess property appeared satisfactory from a spot check made at the Los Angeles and San Luis Obispo Rights of Way Offices. The detailed manual prepared by the Rights of Way Section of the Division of Highways in 1950 is a well-planned manual of procedures with respect to all types of land transactions of the Rights of Way Section. Our only suggestion at this time would be that the manual should have been printed in loose leaf form to permit ease of correction without necessity of reprinting the entire manual.

FEDERAL LANDS

Federal ownership in the State of California has increased from 41,759,984 acres in 1938 to 47,005,789 in 1947 from the most reliable and recent figures we would find. This increase was due to acquisitions by the Defense Department, Federal Housing Authority, U. S. Forest Service, Bureau of Reclamation, National Park Service, Soil Conservation Service, and others. Many county officials have expressed concern over the reduction of the tax base by removal from private ownership by purchase, condemnation, or exchange of large areas. The County of Del Norte with 35 percent of its total area under private ownership is especially hard pressed in relation to sufficient tax returns from that land to support and operate its schools (Appendix A). Inyo County with only 4.32 percent of her lands remaining in private ownership, and in a similar position with respect to her schools, demonstrates the ultimate impact that may be expected without some curb on acquisitions by public agencies. The map or plat prepared by Inyo County (Appendix B) in color and reproduced here in black and white is startingly effective in its presentation and if the committee is continued, we plan to obtain a similar plat or map showing public ownership from each of the remaining 57 counties. This reduction of the tax base and the hardships caused thereby are particularly true when the services provided by county governments must be increased, without reimbursement, to carry out their responsibilities that follow with the increase in population, both permanent and transient. These added costs must be borne by the remaining land holders (see Appendices C and E). The Federal Government now

owns 46 percent of the total area of the State. The State's own holdings are estimated to be about 3.5 percent. This situation is similar to that in each of the eleven western states in which the Federal Government has large holdings (see Appendix F).

The Federal Government, through its agencies, is continuing to acquire more property through condemnation, purchases, and exchanges Criticism of the federal agencies on the subject of both acquisition, management and use policies have been heard by this committee.

With respect to management, the protests heard from the sheep raisers and cattlemen regarding the limitations placed on the number of head of stock that may be grazed on ranges administered by the U. S. Forest Service by grazing permit have been numerous. It was pointed out by them that these limitations are considered to be a major factor in the over-all reduction of the numbers of sheep and cattle raised in this State.

With respect to acquisitions, the property owner's right to question the reasoning behind the determination that his entire property should be condemned when he can see no obvious need by the government for the whole parcel even though he is willing to waive severance damages to retain a small portion of his original holding has been disregarded This has occurred in land acquisitions above the "take line" established around storage pools of dams, such as Folsom Dam Another question that arises is the proper use of land after acquisition This applies in those cases of acquiring acreages for wildlife reserves that have been used for the production of foodstuffs and the acquisition of other agriculture lands for military bases and then not using all such lands for that purpose (see Appendix D). The latter two policies result in threefold damages to the state economics—first, the removal of land from the tax rolls, and second, the removal of agricultural lands from that use, and third, the unestimated loss of the foodstuffs those lands would produce for the State and Nation. Such policies are questionable at all times but especially so during this period of national emergency. In each of the above circumstances the rights of the individual land holder has been disregarded once the decision to acquire has been made by federal officials. He has no recourse to law to question the decision with respect to the reasoning behind it as to the amount of land to be taken, or the use to which it may be finally put, but must be satisfied with the condemnation suit which follows and determines the public use intended and the value which he shall receive for his property. We hold that these citizens in such circumstances should be guaranteed recourse to law.

Forest exchanges account for a proportion of the increase in federally owned lands. These exchanges affect the tax bases of the county governments by the Forest Service exchanging value of stumpage in national forests for a corresponding value in acreage of suitable land, adjacent to or within the boundaries of national forests, belonging to or acquired for that purpose by private individuals (see Appendix E). These exchanges, we were informed, have been consummated only with the approval of the officials of the county concerned since April 1, 1943.

We hold that the State Government should be required by law to take an active protective interest in her citizen's rights by requiring a public hearing by the State on the occasion of each acquisition by the State to give each citizen affected an opportunity to voice his approval or disapproval and his basis therefor and then intercede in behalf of those who may have just cause for complaint. More important, a federal law guaranteeing similar hearings be held, with proper notification of state officials and interested parties, prior to all acquisitions by any agency of the Federal Government is considered necessary.

Because the 11 western states with large percentages of federally owned properties, ranging from 35 percent to 84 percent of their total areas, (see Appendix G) must have common problems with respect to federal ownership which have been stated herein, we recommend that committees of the legislative bodies of those states should meet jointly so as to give the necessary added weight by agreement on those questions related to "in lieu tax payments" or other just reimbursement and such other corrective measures that they may feel necessary to correct some of the abuses and harmful effects of federal ownership. After such agreement and further approval by the legislative bodies of their respective states, they could then approach the National Congress in a body with a united purpose. We feel this concerted action would carry enough weight to gain the relief that is so necessary.

We are, at present, making the plan and laying the groundwork, as necessary, to bring about this proposed joint meeting.

APPENDIX A

Excerpts From the Remarks of Mr. Charles A. Thunen, Del Norte County Representative at Joint Hearing on October 27, 1950, at Sacramento

"I'd like to present a few figures to show the financial distress of Del Norte County due to loss of tax base by lands being sold to the state and federal government. I have a map here which shows in the shaded area state and federal lands; the white area is private property, which is assessed—that is very close to 35 percent. About 65 percent of the land is in the hands of the state and federal government."

"Now, the total value of the county, including land, improvements and personal property, in 1931-32 was $11,187,831 In that year the total general county tax was two hundred seventy-nine thirty-eight dollars and eighty-eight cents; and the amount for schools was thirty-two thousand, ninety-five dollars and seventy-five cents, slightly above 10 percent. I'm trying to develop a picture and show the problems of the schools in Del Norte County because its a very pressing problem and of course I'm vitally interested in schools.

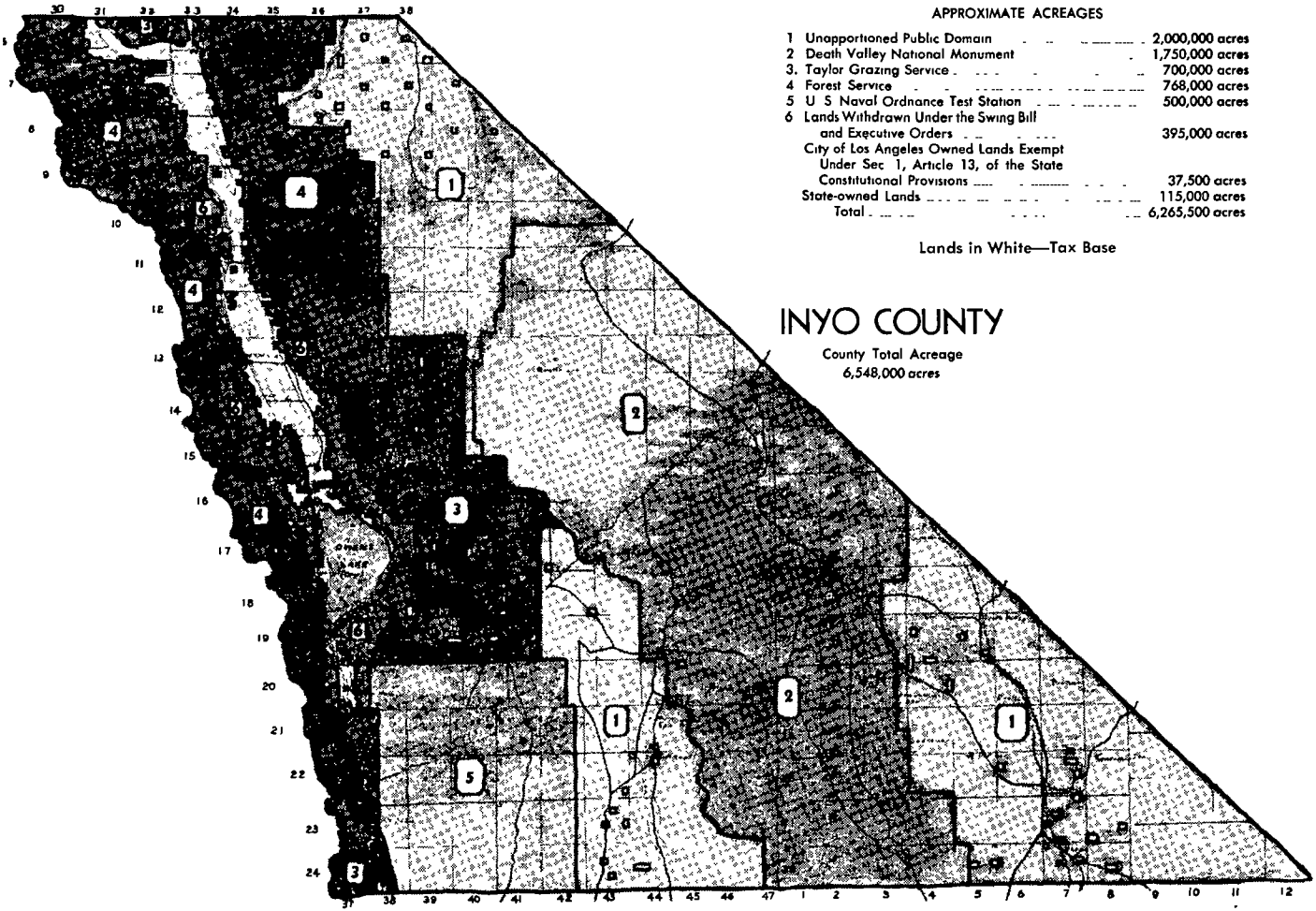
The next year the general tax in Del Norte County was $190,490.35, the school tax was $17,193. When I say school tax I mean the tax for all the schools in the county, the high school and all the elementary schools. For 10 or 12 years the amount for the general county business and schools ran roughly the same, the amounts for schools running around 10-15 percent.

Now, to go back to the loss in value, I repeat again that in 1931-32 the land alone was assessed at $9,881,005. By 1942-43 this valuation had

dropped to $3,545,920, representing a difference of $6,336,085. That loss was due to the sale of timber to the State and Federal Government. Since then, as pointed out, the $3,545,000 has increased to $5,714,335. Now this is just the land alone, and that increase is due to increase in values, not to new land—we haven't received any new land, we've lost more. Assuming that the $6,000,000 worth increase in value at the same rate, and it is the choice land of the county and no doubt would appreciate, in that ratio it would now be worth more than the total assessed valuation of the county, which today is $9,010,194. Now, that's not the land alone, that's the total including improvements and personal property.

I'd like to read the amount of taxes for the schools for the past five years. Beginning in 1947-48 the total was $93,699 07; '48-49, $121,127; 1949-50, $141,959.01; 1950-51, $164,590. For the past five years the amount for schools is substantially above half the total for the county. And for the year 1950-51 the $164,590 is not sufficient for the schools—its that figure because all the schools have reached their legal maximum tax rate, some of them have gone over by election. If the schools had what it, what they needed to run, that figure would be still larger. I think these figures show conclusively that the real property in Del Norte County cannot continue to support the schools and local government, its impossible Now, we're going to have to find another source of money in order to keep on running the schools, even without building new buildings or making improvements which are necessary. Now, I think that the State should pay money in lieu of taxes to localities where state parks are located, and I think they should do that, of course, in Del Norte County. I also think the Federal Government should pay money in lieu of taxes where federal land is located. And it seems to me that if the State would realize that and do so it would be a strong argument for the Federal Government following suit. And I believe if the State could pass such a law and do that, that laws could be passed so that if further land is taken off the state tax rolls, it would have to be done so with the understanding that the agency, federal or state, would pay money to the locality in lieu of taxes. Now that is the proposition from Del Norte County."

APPENDIX B



APPROXIMATE ACREAGES

1	Unapportioned Public Domain	2,000,000 acres
2	Death Valley National Monument	1,750,000 acres
3.	Taylor Grazing Service	700,000 acres
4	Forest Service	768,000 acres
5	U S Naval Ordnance Test Station	500,000 acres
6	Lands Withdrawn Under the Swing Bill and Executive Orders	395,000 acres
	City of Los Angeles Owned Lands Exempt Under Sec 1, Article 13, of the State Constitutional Provisions	37,500 acres
	State-owned Lands	115,000 acres
	Total	6,265,500 acres

APPENDIX B

Excerpts From the Remarks of Mr. Stewart R. Cox, Assessor and Tax Collector of Inyo County at the Joint Hearing in Los Angeles on December 4, 1950

"During recent years the report on the amount of tax exempt lands in Inyo County has been variously reported as from 69 percent to 85 percent. And as we do not entirely agree with these figures I have prepared this plat of Inyo County as visual evidence of the way we are affected by public ownerships of lands.

The tan section (2) in the center there is the Death Valley National Monument, and was withdrawn some years ago, and the extent of that is 1,750,000 acres.

The violet color (1) there is unapportioned public domain and represents 2,000,000 acres.

The dark brown (3) is lands administered under the Taylor Grazing Act and amounts to about 700,000 acres. Actually it is around 1,200,000 but there is some of that which is included in other things of which I am going to talk about.

The green (4) is the Forest Service and that is 768,000 acres.

The blue (5) is the most recent acquisition by the government and represents the land withdrawn for the U. S. Naval Ordnance Test Station at Inyo-Kern. That is 500,000 acres.

The yellow is the Owens Lake, the acreage I'm not certain about; but it is administered by the State.

The red (6) which borders the white are lands which were withdrawn under the Swing Bill, I believe it was 1931, and subsequent Executive Orders. That is in the neighborhood of 395,000 acres.

Now, the red (6)—that borders the white, is lands withdrawn for the benefit of the City of Los Angeles and the protection of their water flow to Los Angeles.

The white (7) represents the lands that we assess and you see them spotted here and there. This map is not exactly correct because I didn't have the time to plot all the state sections, etc., in there. But the state sections amount to 115,000 acres. We assess 255,600, tax-deeded lands 26,900. Now in that white area, which is all we assess, the City of Los Angeles owns some 37,500 acres which are exempt under the provisions of Section I, Article 13, of the State Constitution.

Those little black dots are lands that were recently acquired to the Indian Service and represents some of the very finest land that we have in the county.

Now it is easy to see by that how Inyo County is restricted from any possible broadening of its tax base with the possible exception of the discovery of oil in the county which, according to oil men, is quite remote The City of Los Angeles has—we have them assessed with 191,651 acres, and of that, of course, none of it can possibly be returned to what we call private ownership, because, of course, they can't afford to turn it loose without water."

"Two hundred fifty-four thousand, three hundred sixty-one acres is our total assessed value So actually we have 62,700 acres upon which we can expect expansion. As you know, any improvements that are built by the City of Los Angeles after the acquisition of the land is not taxable.

And that is our picture. You can see that our school rates are all up to the maximum and have been for quite some time.

The withdrawn land there, the red, is for the most part, pretty fair land and it has been withdrawn from all types of entry and we have had some trouble with miners who wish to mine nonmetallics in the region and they are for the most part stopped from doing it in that area.

In the blue, the upper 12 miles, I think, or 18 miles has been moved back three miles recently to allow people to go in there and mine pumice, etc., I've not been notified of that, but it's an actual fact.

We have another problem that's beginning to show its face and that is on the left hand corner in the Forest Service, if you get close to that map, you'll see that we have dozens and dozens of creeks coming down from the mountains and recently the State has been interested in the sanitation of this area. The State, that is, the Forest Service rather, cannot take care of the sanitation problems that arise, the government, so far, has not done anything about it, so if it's up to the county to patrol hundreds of miles of creeks and place the sanitary facilities in there to take care of approximately 1,000,000 tourists a year, it's going to pose quite a problem to our county."

95.68 percent of this county is publicly owned.

APPENDIX C

Statement of J. H. Hanks, Assessor of Kern County, to the California Legislature Senate Interim Committee and Assembly Committee on Public Lands at a Joint Hearing Held in Los Angeles, California, on December 5, 1950

The Kern County area consists of approximately 5,121,920 acres, of which 1,416,300 acres or 27.65 percent are owned or controlled by the Federal or State Governments and therefore are exempt from taxation by the county. This is an increase of approximately 108,000 acres or 2.65 percent since a survey was made in July of 1947. While this increase may appear to be insignificant, may it be emphasized that this increase has occurred even though the Federal Government has turned back to the county several areas used for airfields during World War II: Gardner Field, Taft; Minter Field, Lerdo; and auxiliary fields. Also no attempt was made to include land deeded to the State after taxes became delinquent. There are additional specific problems concerning government-owned or controlled land in Kern County which I would like to cite as follows:

A. Delano Area

1. The transfer of land and existing improvements from the Reconstruction Finance Corporation to the United States of America, such as the short wave radio station located in Section 16, Township 25, Range 25, near Delano, operated for the United States State Department, by the Columbia Broadcasting Company, which resulted in the removal of this property from the assessment rolls and the loss of $115,830 in assessed valuation.

2. The Alpaugh Irrigation District owns 1,708 acres of land in the Pondham School District in Townships 25 S. and 26 S., Range 23 E., M. D. B. M., from which they annually pump 18,000 acre-feet more than the water used on the land for irrigation This 18,000

acre-feet of excess water is delivered by canal to other lands of the district in and around Alpaugh in Tulare County. In 1947 the State Legislature passed an act permitting an irrigation district to annex land not contiguous to the district by a mere vote of the board of directors. As a result, the noncontiguous land in Kern County was voted into the district by the directors of the Alpaugh Irrigation District and the Pondham School District lost a minimum of $70,000 in assessed valuation. It is hard to understand how and why such a district is allowed to annex land without either consulting or notifying the officials of the county concerned. The Pondham School District can ill afford to lose this valuation and is in danger of losing even more value as a result of the lowering of the water table on lands surrounding the area in Kern County from which the Alpaugh Irrigation District is pumping water. The original wells flowed and now pump from 120 to 150 feet Over a period of years the continued removal of an excessive amount of water for use on land of poorer quality in another county cannot have any other effect than the lowering of the value of the land in Kern County due to lack of water or increased pumping costs.

B. Naval Petroleum Reserves

1. While there are two Naval Petroleum Reserves in Kern County, only Naval Petroleum Reserve No. 1, Elk Hills, is of immediate consequence due to the fact that it is entirely government controlled. Naval Petroleum Reserve No. 2, Buena Vista Hills, is leased by private operators and Kern County derives revenue from mineral rights thereon.

The Elk Hills Reserve consists of 43,815 acres as shown on the map in Township 30, Range 23; Township 30, Range 24; Township 31, Range 23; and Township 31, Range 24. In 1948 the Department of Interior proposed to enlarge the reserve by some 6,800 acres, of which 4,320 acres are privately owned as shown in pink on the map.

The county furnishes many services to the Elk Hills area in that it maintains radio cars, deputies, and constables in the communities surrounding the reserve who in time of emergency assist in patrolling this property. The county fire department is of such a caliber that the Navy found that it would not be necessary to maintain a full scale fire protection system since they considered the coverage afforded by the county adequate, even during war years. There is a minimum of 29 miles of county maintained road giving access to the reserve from Taft, Buttonwillow, McKittrick and Bakersfield. The average maintenance cost is $600 per mile per year depending upon the terrain. In addition, county equipment is available and has been used by the Navy on roads within the reserve. Little flood control work is done in the reserve which results in considerable damage to county roads when there are heavy rains. These roads must be repaired so that access to the reserve is not blocked to fire, police, or first-aid equipment.

An added burden is placed upon all services rendered by the county due to the fact that additional families must be accommodated as a result of the personnel which operates and maintains the Naval Petroleum Reserve.

C. Muroc Air Base

1. Several hundred thousand acres are included in Muroc Air Base and further acquisition is now under way. In this district, according to the present agreement between the Federal and State Governments, the State has relinquished jurisdiction and this land has been removed from the county tax rolls, including improvements and personal property. An extensive housing project is included in the land taken for the base and a sever load is placed on the private owners in this district to support increased enrollment in schools, maintenance of roads, protection to property and persons, and general county government costs.

D. Inyokern Naval Ordnance Testing Station

1. Inyokern Naval Ordnance Testing Station resembles Muroc Air Base except full rights have not been relinquished by the State and personal property of civilian personnel living at the station is assessed. However, the loss of several hundred thousand acres of land in a normally impoverished area has placed an extremely heavy tax load on the private owners.

E. State-owned Lands

1. The State of California owns school land and tax deeded land in various areas throughout Kern County. In the desert region private owners are able to lease this land for a very nominal rental, which rental is much less than the taxes they would pay on similar land at present tax rates even though the assessments are at a minimum. This condition is aggravated by the withdrawal of lands, such as was cited in C. and D. preceding.

F. Federal Lands

1. The Taylor Grazing Act makes it more economical for cattle and sheep men to graze livestock, at a per head rental, than to own similar land on which they must pay taxes.

2 Grazing land in the national forests creates the same problem as the Taylor Grazing Act.

3. The Department of Interior through the Central Valley Project has acquired land for the Friant-Kern Canal causing a loss of several thousand dollars in assessments.

4. The United States Army Engineers have acquired several thousand acres of land and the townsites of Isabella and Kernville to construct the Isabella Dam and impound the flood waters of the Kern River. This has resulted in a serious loss of valuation to the Kernville and South Fork Union School Districts.

In conclusion, it is readily apparent that where a majority of the land is government owned or controlled a heavier load is carried by private property owners as they must support county activities which benefit the residents and installations in the exempt areas as well. If the revenue derived from federal and stated owned lands were turned over to the county for maintenance of county government and schools in the distressed areas, the tax load on private owners would be eased and there would be greater incentive for the development of these areas by private owners.

Respectfully submitted,

J. H. HANKS
Assessor, Kern County

APPENDIX D

Testimony for Joint Hearing of the Senate and Assembly Interim Committees on Public Lands, Los Angeles, California, December 4, 1950

My name is Paul Aurignac. I am a farmer by occupation, raising primarily cattle and grain at my home near San Ardo in Monterey County. I am a member of the Wild Game and Public Lands Use Committee of the California Farm Bureau Federation, and on that committee I represent the Central California Coastal Counties of San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, and San Luis Obispo.

Our committee has cooperated with sportsmens' groups and state and federal agencies, and one of our main purposes is to seek a better use of public lands in the State of California Much public land is not now used to its full effectiveness. For example, although steps are being taken to acquire a 12,000 tract in the San Joaquin Valley for a game management area and public hunting grounds, it is the belief of our committee that the land that has already been acquired by the State Wildlife Conservation Board and the U. S. Fish and Wildlife Service is ample to provide resting grounds for the Pacific Coast Waterfowl Flyway. The land previously acquired by these agencies could be more fully developed to provide a maximum of feed and shelter.

We urge more effective use of public lands for the reason that whenever a government agency, whether it be county, state, or federal, acquires privately owned lands, they become tax free and therefore deplete the taxable resources of the county in which the acquisitions are made.

To illustrate this loss of tax revenue, take the case of Monterey County. Since 1939, approximately 175,000 acres were acquired by the United States Government in the County of Monterey with an assessed valuation of roughly $2,000,000. It is estimated that the tax revenue lost for the current year alone amounts to approximately $75,000. This is verified by Exhibit "A" which is attached.

Therefore, in keeping with the policy of the California Farm Bureau Federation established in 1948 at their annual meeting, and reaffirmed by our committee, we oppose in general the acquisition and retention of productive agricultural and range lands by any government, except during emergencies or in unusual cases, feeling that suitable nonproductive lands are most usually available.

We request the return of such lands, now held by the Federal Government, to private ownership and operation with as little delay as possible whenever it will not jeopardize our national defense. We have a flagrant case in Monterey County of the Federal Government acquiring and holding productive agricultural land during the last war, despite the fact that during negotiations for transfer of title to the land, it was represented that upon cessation of hostilities, the land would be restored to farming use and preference would, of course, be given to former owners. We submit in evidence of this case a letter marked Exhibit "B" from the B. F. Porter Estate which we believe is self-explanatory. We do believe that the major portion of that land could be returned to its previous owner without impeding the administration and functions of Camp Roberts.

At the present time the State of California and the Federal Government own nearly one-third of Monterey County's 2,200,000 acres; taking the State of California as a whole, 52 percent of the total area of 100,000,000 acres are under title to the State and Federal Governments. Each acquisition by these bodies means tax-free areas for them and higher taxes for the balance of us. For how long is further acquisition of private lands to go on unrestrained?

To conclude, we feel (1) that further prospective acquisitions of private lands by the Federal, State, or county Governments should be first taken up with local civic groups and then with the community in general; and (2) we request the Interim Committees on Public Lands to do all in their power to assist in securing the release of government owned lands to private ownership whenever it will not jeopardize the national defense.

I wish to thank the joint committees for granting me the privilege of making a presentation today.

PAUL AURIGNAC
San Ardo, California

December 4, 1950

Exhibit "A"

MONTEREY COUNTY, STATE OF CALIFORNIA
WALTER R. TAVERNETTI, ASSESSOR
SALINAS, CALIFORNIA, November 28, 1950

Monterey County Farm Bureau
126 Lincoln Street
Salinas, California

GENTLEMEN: The following is a compilation of the property acquired by the United States Government in the County of Monterey since 1939 and by virtue of such ownership, this property has been removed from the tax rolls. Also included in this compilation is an estimate of the loss in tax revenue to the county and other special districts with the exception of city taxes.

Site	*Acreage*	*Assessed value land only*	*Tax rate*	*Tax revenue*
Hunter Liggett Reservation	149,746	$1,497,460	$3 61	$54,058.30
Camp Roberts (Portion in Monterey County)	17,808	126,600	3.10	3,924.60
Additions to Fort Ord	14,460	300,000	3 87	11,610.00
Naval Base, City of Monterey **	--	46,250	3 89	1,799.12
Naval Base, Salinas River	360	24,500	4.24	1,038 80
Salinas Air Base Add'n	50	15,000	4 02	603 00
Guayule Lands	180	20,000	4.28	856.00
Del Monte General Line School **	470	47,000	3.93	1,847.10
		$2,076,810		$75,736 92

** Property also lies inside limits of City of Monterey City taxes not included

The above figures represent the amount of tax revenue that would have been derived from this property for the fiscal tax year 1950-51.

Yours very truly,

(s) Walter R. Tavernetti

WRT/s

WALTER R. TAVERNETTI
Assessor for Monterey County

Exhibit "B"

(COPY)

B. F. PORTER ESTATE, A CORPORATION
58 SUTTER STREET, SAN FRANCISCO 4, November 29, 1950

Mr. R. S. McCandliss, Executive Secretary
Monterey County Farm Bureau
126 Lincoln Avenue
Salinas, California

DEAR MR. MCCANDLISS: Answering your letter of November 27 regarding our experience in a case where the U. S. Government has acquired land and not returned it to farmers, be advised that the Government acquired something over 8,000 acres under lease the early stages of the last war.

This property is known as the East Garrison of Camp Roberts, separated from Camp Roberts by a highway, a railroad, and the Salinas River. After leasing for a year or more, it was decided by the Government that they should acquire fee title to the land and, after considerable negotiations, they purchased at a very low figure something over 6,000 acres from this company. Of this tract, some 400 to 500 acres were improved by construction of barracks, machine shops, parade grounds, etc.

At all times during negotiations, it was represented that upon cessation of hostilities, the land would be restored to farming use and preference would, of course, be given to former owners. While the improved area would be of no value to the former owner, we have made long and continued attempts to re-acquire the remaining area, but have not met with success. It is our sincere belief that the Government does not need

this area, considering enormous acreage in Camp Roberts proper and Hunter Liggett. It is a fact that during the past war very little use was made of the land acquired from us, with the exception of the improved or cantonment area.

I trust this is the information you desire.

Yours very truly,

(s) PORTER SESNON

Porter Sesnon
bmh

APPENDIX E

Statement by Mrs. Margaret K. Sylva to the California Senate and Assembly Interim Committee on Public Lands, November, 1950

This statement is for the purpose of presenting to the committee certain facts relative to the aspects of land ownership on the economics of Tuolumne County.

The statement is presented in four parts, namely (1) those factors relative to lands owned or controlled by the Federal Government; (2) those factors relative to lands owned or controlled by the State Government; (3) those factors dealing with lands owned or controlled by counties and cities; and (4) those factors relative to lands owned or controlled by other political subdivision of the State of California.

1. Lands of the Federal Government

The Federal Government owns or controls a total of approximately 1.087,000 acres of land within Tuolumne County, which represent 74.7 percent of the total of 1,456,000 acres of all lands within the county. Of the total Federal Government lands, the U. S. Forest Service controls 619.541 acres or approximately 42.6 percent of the entire area of the county, the National Park Service controls 441,410 acres or approximately 30.3 percent of the area of the entire county and the Bureau of Land Management 26,110 acres or 1.8 percent of the area of the entire county.

There is no direct tax income from these lands; however, there are various factors which contribute to the income and welfare of the county from these lands.

With respect to the lands controlled by the U. S. Forest Service, the following direct and indirect benefits can be pointed out, as resulting from the operations of the U. S. Forest Service in the county for the year 1949.

Payments by U. S. Forest Service in lieu of taxes	$100,732.14
Taxes paid by owners of 675 summer homes, resorts and other improvements on U. S. Forest Service lands, approximately	23,525.00
Taxes paid by owners of water permits, dams, transmission lines and like improvements on U. S. Forest Service lands, approximately	36,283.00

This made a total of $160,540 in direct income from the lands under U. S. Forest Service control. These returns amount to approximately $0.16 an acre for in lieu taxes and a total of $0.26 an acre from the lands under the control of the U. S. Forest Service.

Other indirect benefits and expenditures from the lands under the control of the U. S. Forest Service may be noted as follows:

(1) Amount paid to U. S. Forest Service employees (50) during fiscal year 1949	$337,917.00
(2) Expenditures by the U. S. Forest Service for materials and supplies purchased from 102 different local merchants during the fiscal year 1949	$59,503.89

The activity of the U. S. Forest Service has resulted in the following other indirect benefits to the county.

(A) 705 miles of public road maintained by the U. S. Forest Service at a yearly cost of approximately	$35,000.00
(B) 742 miles of public track maintained by the U. S. Forest Service at a yearly cost of approximately	$10,000.00

The three year average expenditures for fire suppression work in the county for the period July 1, 1947 to June 30, 1950 has been $219,-482.00.

The U. S. Forest Service, through the Bureau of Public Road has expended to date on the Sonora Pass Highway $1,203,543.00.

Other factors which may be pointed out with reference to the operation of the U. S. Forest Service are as follows:

There are numerous mining claims on U. S. Forest Service lands which are unassessed. In one instance there are 144 mining and building stone claims by one individual, some of which have buildings and other improvements situated on them. Some of these claims have been sold to persons who have purchased them for use as home sites. As these claims are not on the county assessment rolls there is no revenue to the county.

Prior to 1938 it was the practice to exchange cutover lands for stumpage. During the period 1907 to 1938 there were 26 such transactions in Tuolumne County involving a total of 70,236 acres, the majority of which involved the West Side Lumber Company of Tuolumne City with 36,466 acres and the Pickering Lumber Company (formerly Standard Lumber Company) of Standard with 16,374 acres, the remaining 17,396 acres involved transactions with various individuals in exchange of less than 1,000 acres. There have been no such exchanges since 1938.

There are also certain recreational developments on U. S. Forest Service lands, which are pertinent to the economics of land use in homes, resorts, motels, lunch rooms, service stations, stores, parking stations and similar improvements on U. S. Forest Service land along State Highway No. 108 between the City of Sonora and the top of Sonora Pass on that highway. From a compilation of data on these activities made by the

"Sonora Pass Vacationland," an organization representing the commercial properties operating in this area, the following statistics are available:

The development of this area in the past 20 years has resulted in a current estimated assessed valuation of approximately $3,742,385, which is approximately 20 percent of the assessed valuation of the county. Approximately 90 percent of the patrons of this area are out of county visitors and cabin owners. The annual pay roll amounts to about $265,000 with an average employment of about 204. The estimated gross yearly income of these businesses for the last three years has been approximately $1,000,000 and the owners of these businesses have returned to the county an average of about $180,000 in taxes for the last three years.

In any discussion of returns to the county from various sources, the services rendered by the county must be considered. The services rendered by the county in the case of the U. S. Forest Service lands are limited primarily to police protection, school services and some road maintenance.

A school has been maintained at Pinecrest during the past year to provide for an enrollment of 12 pupils. This school was maintained as a branch of the Columbia Elementary School District System.

The county maintains approximately one mile of highway leading from State Highway 108 into Pinecrest Resort and is also assuming maintenance of approximately four miles of newly constructed highway to a new recreational area. This highway was constructed as a timber access road and has recently been surfaced at a cost of approximately $65,000 paid from moneys earmarked for that purpose from the county's share of stumpage fees from the area, in the last three years.

The improvements in this newly created recreational area estimated to represent an initial investment of $200,000 which has not to date been placed on the county assessment roll.

As a comparison of the returns to the county from the operation of United States Forest Service lands as noted above, the March 22, 1948 news letter of the California Supervisor's Association reported that the average annual loss of tax revenue from lands under United States Forest Service control would amount to approximately $269,000.

Some of the larger taxpayers in Tuolumne County as of June 30, 1950, are:

(1) Pickering Lumber Company paid a total of $76,613.94 based on an assessed valuation of $983,863.74 broken down as follows: Timberland, $27,613.74; improvements, $346,250; and personal property, $610,000.06.

(2) West Side Lumber Company paid a total of $30,684.95 on a total assessed valuation of $500,958.56 broken down as follows: Timberland, $7,678.56; improvements, $112,950; and personal property, $380,330.06.

The evaluation in both cases for timberlands were based on cut-over lands at $4 an acre, virgin timber at $28 an acre and big trees of no commercial value at $75 an acre.

(3) The Pacific Gas and Electric Company paid a total of $321,-800.91 in taxes on its various holdings in Tuolumne County.

With respect to the lands in Tuolumne County controlled by the National Park Service, the following factors may be presented:

The land with the Yosemite National Forest comprises about 30.3 percent of the area of the entire county.

There is no timber cutting or cattle grazing allowed within the park boundary and consequently there is no revenue or in lieu payments from those sources or in the case of the lands under control of the U. S. Forest Service.

The return to the county from the recreational development in the park is small as the distance and type of highway serving the park and Yosemite Valley through Tuolumne County preclude any large amount of travel to and from those areas and therefore limits the benefits from tourist or recreational development.

Within the last 30 years, some 11,000 acres of land of Tuolumne County timberland previously owned by a private corporation, the Yosemite Lumber Company, was purchased by the Rockefeller Foundation which in turn gave it to the National Park Service for inclusion in Yosemite National Park, thus removing the land from the tax roll of the county.

With respect to the land controlled under the Bureau of Land Management, there is no evidence at hand either as to returns or costs to the county from operation of these lands.

2. Lands of the State of California

The lands of the State of California consist of the Columbia State Park under the control of State Division of Parks and Beaches. The purpose of these holdings is to create an historic site representing a typical early California community The town of Columbia with its business district, the old Fallon Hotel and grounds, the old elementary school and grounds was selected to be developed as a state park to be the "Williamsburg of the West."

The assessed valuation of the area now included in the park was approximately $30,000 at the time of the removal of the lands from the tax rolls in 1948. The present assessed value when the recent readjustments of the value of comparable lands is considered, would be approximately 10 percent higher.

The water system previously serving the park area and adjacent area was privately owned and has been purchased by the State, thus removing these properties from the county assessment roll. This system together with a sewer system now under construction by the State will serve the area both inside and outside of the park with no revenue or return to the county.

The highway, roads and streets serving the park and adjacent area are all at the present time being maintained by the county, although it is understood that the State does contemplate taking over and maintaining the two miles of highway linking the park with the present State Highway No. 49.

It is also understood that plans are under preparation and consideration to enlarge the park boundary with further loss to the county of assessed valuation.

It is understood that the present leases of the properties in the part are on a yearly basis with compensation varying with the general conditions of the property. The residents of the area in the park were presumed to have preferential use of their former properties, however, apparently some of the contracts provide for vacation when buildings are remodeled.

The school serving the park area is maintained by the county without direct support from the area within the park. Other county services such as fire protection, a lighting district and law enforcement are furnished by the county with no direct tax revenue from the park area.

There is a grave question whether or not the loss to the county from direct taxes can be offset by any improvement in the adjacent assessed valuation due to services provided by the State, namely sewer and water or any great return to the county on account of increased tourist travel

The proposed extension of the Calaveras Big Trees State Park to include the South Grove of Big Trees would deprive the county of revenue without corresponding return.

The estimated loss from stumpage revenue would be in the order of magnitude of $1,000,000. In addition to this loss of revenue, the proposed park extension, although lying within Tuolumne County, would not be accessible to the peoples of the county, nor would any revenue accrue to the county from tourist attraction for the same reason.

The only remedy for the making of this area available would be the construction of about eight miles of costly road construction to reach the area and additional expensive road construction to cover the area and access to the present Big Trees Park.

The loss would not be limited to the stumpage loss but would include occupational and business losses in the eventual processing of these timber lands.

3. Lands of Cities and Counties

The lands in Tuolumne County in this category are the lands owned by the City and County of San Francisco. Since purchase of these lands and improvements by the city, they have remained on the assessment roll at a very nominal value. In the Fiscal Year 1940-41 the county assessor with the advice and approval of the State Board of Equalization made a reassessment of the lands and properties in which the assessed valuation was about doubled. The city protested this reassessment and as a result of litigation, negotiations and conferences between the parties involved, an equitable formula was worked out to provide a method of assessing such lands and improvements.

The formula took into account the following factors:

a. The natural properties of the land for impounding of water.
b. The state of the soil.
c. Area of reservoir.

It was further agreed that the water rights previously not included on the tax rolls should be placed on the rolls. The resulting valuations were as follows:

Water rights at Hetch-Hetchy, Eleanor and Cherry Valley $145,285.

Hetch-Hetchy Reservoir Site—550 acres at $195 an acre.

Lake Eleanor Reservoir Site—700 acres at $95 an acre.

Hetch-Hetchy Dam Site—$225 an acre.

Eleanor Dam Site—$125 an acre.

In addition to the above, the reservoir site at Priests and Early Intake and miscellaneous properties at Mather which are used as recreation sites and also various rights of way for pipe and power lines are included on the assessment roll.

The total assessed valuation of all properties of the City and County of San Francisco amounted to $395,765 of which $256,480 was on real property and $145,285 was on water rights.

There is a limited revenue from the taxes on the personal properties of the residents of the Town of Moccasin situated on City and County of San Francisco property. The average assessment is between $50 and $100 for each of about 40 households.

The school facilities at Moccasin were built by and are maintained by the City of San Francisco. The city also furnishes the light and heat for the buildings. The teacher's salary is paid from regular county school funds, however the entire income for school purposes from the Moccasin School District amounted to only $615.27 for the year 1949-50, which income together with state average daily attendance funds must pay all other expenses of the school. As the enrollment averages about 17 pupils, the state average daily attendance aid is quite small.

There is also an average attendance of seven or eight high school pupils from the Moccasin area, who attend Sonora Union High at Sonora. The costs of the school services to these high school pupils including a daily travel of about 40 miles is paid from county funds.

There is some intangible benefit to the county from local purchases by the residents of the area and from the local purchase of the municipalities concerned. These municipal purchases are minor as the bulk of such purchases are made through the regular purchasing procedure of the city

4. Lands Owned or Controlled by Other Political Subdivisions

The lands include the lands and improvements owned and controlled by the Oakdale and South San Joaquin Irrigation Districts acting jointly and the Turlock and Modesto Irrigation Districts acting jointly.

The lands and properties owned by the Oakdale and South San Joaquin Irrigation Districts are situated on and adjacent to the Stanislaus River in Tuolumne County and includes water rights, Melones Dam and Reservoir sites, Tullock Dam and Reservoir site, together with certain canals and ditches with appurtenant rights of way.

The acreage of land involved is 1,009.09 acres. The water rights involved are Melones Dam water rights and water rights at Tulloch

Diversion. The canals are the two diversion canals leading from Tulloch Diversion.

The 1949-50 evaluation of these lands were as follows:

615.11 acres at $100.00 an acre as reservoir site; 393.98 acres at $6.06 an acre as now flooded land; and the total evaluation for all land, water rights and improvements was about $233,051.19.

The above lands were on this tax roll prior to purchase by the irrigation districts. Upon purchase by the districts the lands were removed from the tax roll. In 1914 legislation allowed the taxation of all lands and improvements which had been on the rolls at the time of purchase. The above values represent the lands and improvements in this category.

In 1921 pursuant to judicial decision, these lands and improvements were again removed from the tax roll. In 1946 pursuant to a decision by the Supreme Court, the 1921 decision was reversed and these lands and improvements were again placed on the roll but the taxes levied pursuant thereto for 1947-48 were paid under protest by the districts on the grounds that the lands were included within the boundary of the district and therefore were not assessable in accordance with legislation which became effective October, 1947, and have not paid any taxes since on the same grounds. The districts have filed an action to recover the payments made for the year 1947-48.

The County of Tuolumne without any tax reimbursement furnishes roads, schools, police and other regular county government services to the properties and the residents living thereon

There is no planned recreational development on any of the lands or facilities owned or controlled by the districts which either directly or indirectly returns any revenue or income to the county government or business within the county. The boating and fishing which is done at Melones Reservoir is not planned and there are no facilities for such recreation, also due to the necessary fluctuation of the water surface in the reservoir, such facilities would be expensive and difficult to maintain.

The land and properties owned or controlled by the Turlock and Modesto Irrigation Districts are situated on and adjacent to the Tuolumne River in Tuolumne County and include water rights, Don Pedro Dam and Reservoir, Don Pedro Power Plant and electric transmission lines leading from the power plant.

The acreage of land involved is 3302.29 acres. The water rights involved is the right at Don Pedro for irrigation and power purposes.

The 1949-50 evaluation of these lands were as follows:

2133.75 acres at $100.00 an acre for reservoir site; 1168.54 acres at $7.50 an acre for nonflooded land; and the total assessed valuation for all lands, water rights and improvements was about $238,933.93.

The same situation as to school and other county services exists except that the school attendance is much larger and also there are five

or more high school students from this area who require transportation to Sonora.

The Turlock and Modesto Districts own and operate a power plant and main transmission line within the county for which no tax revenue is obtained In the case of the Oakdale and South San Joaquin Irrigation Districts the power plant and line are owned and controlled by the Pacific Gas and Electric Company from which tax revenues are obtained.

The basis of the assessed valuations given above was the same formula as was adopted for the assessment of City and County of San Francisco lands and improvements as noted previously in this statement.

From the above data, it is apparent that there is a great difference in the manner and extent of benefits and payments thereof as related to lands under public ownership in the county.

These differences should be reconciled and an economic structure provided for such lands which would result in an equitable and uniform balance being established between benefits and revenue with due regard to both tangible and intangible results.

APPENDIX F

The Impact of Federally Owned Tax-exempt Real Properties on Local Government

By: ERNEST H. HODGE, Chairman, Federal Real Property Committee, National Association of County Officials, and County Supervisor of Tuolumne County, California

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(Statement filed with the California Joint Senate and Assembly Interim Committees on Public Lands, at a Hearing in Sacramento, California, on October 27, 1950)

The grossly inequitable situation resulting from tax exemption of federally-owned properties has been recognized by the California Legislature for a considerable number of years. The problem has been given intensive study by the Committees on State and Local Taxation, and on March 25, 1947, Assembly Joint Resolution No. 29 was adopted, memorializing Congress to relieve California's taxation problem created by "the presence in the State of vast amounts of federally-owned tax-exempt real property." On May 2, 1947, Senate Resolution No. 79, introduced by Senator Hulse, was adopted, in which attention was drawn to the fact that 47 percent of all the lands in the 11 Western States is owned by the Federal Government, and that such large accumulations of real property in California and the other 10 Western States has been destructive to the fiscal structure of local government. The resolution recommended that the Federal Government assume its financial responsibilities in relation to local government by enacting legislation to provide that local government be reimbursed in amounts equivalent to taxes lost by virtue of acquisition by the Federal Government.

These properties were described as game reserves, forest reserves, public parks, public monuments, federal buildings for governmental

purposes, expanding military facilities, property acquired and used in a proprietary sense, and lands remaining in the public domain

For the past six years various bills have been introduced at every session of Congress, having for their objective the passage of remedial legislation. Despite the strenuous efforts of many friends of local government, the House Public Lands Committee has not approved any of these bills, basing their refusal mainly on the contention that until the Federal Government has made a complete inventory of all federal real property in the several states, there is no way of determining how much the proposed "in lieu" payments will cost.

It should be noted that the list of properties enumerated by the California memorial to Congress included rural properties as well as metropolitan holdings, and in this connection, we wish to point out a new danger that has arisen recently. The Federal Bureau of the Budget has undertaken a study of the problem with a view of introducing an Administration Bill From all indications, this proposed bill will provide "in lieu" payments on federal property *acquired after 1937, only.*

Such a bill, if enacted would fall far short of solving the problem. For instance, it would leave counties overburdened with national parks and forest entirely out of the picture, and it must not be forgotten that these communities have suffered longest from federal tax exemption. Federal bureau heads contend that these public land areas have never been a part of the local tax base, and that local economy was never predicated on tax revenues from such areas, and that consequently, local government has suffered no loss. These arguments are selfish, unsound and diametrically opposed to the great American principle of "Liberty and JUSTICE to ALL." We must not ignore the fact that in accordance with that principle so frequently expressed in pledging allegiance to the Flag, all the political subdivisions of these United States were created on an equal basis, and that among the inalienable rights accorded them was the privilege and opportunity of expanding their tax bases until all the lands within their respective borders had gone on the local tax rolls, thus forming a substantial revenue for the perpetuation of their local governments.

With the abrupt abandonment of the original public land policy and the consequent withdrawal of vast areas in the West from settlement, the people of those regions were robbed of an historic birthright. The rank discrimination perpetrated at that time can only be remedied and atoned for by granting an adequate "in lieu" payment annually to those communities suffering from a preponderance of federal tax-exempt holdings.

It is our earnest plea that this honorable joint committee will recommend to the California State Legislature that a strong delegation of State Legislators be sent to Washington at the time hearings are being held by the House Public Lands Committee, with definite instructions to urge said committee to carefully consider the present plight of the Nation's rural and mountain counties in approving legislation to provide payments in lieu of taxes on federally-owned real property, giving fullest

consideration to the proposed list of properties subject to such payments contained in H. R. 7478 (copy attached) The special urgent situation of counties in which forest lands are located should be emphasized.

It is further suggested that the Federal Bureau of the Budget be requested to amend their proposed Administration Bill so as to include within its remedial provisions all federally-owned tax-exempt real property, *regardless of the time or manner of acquisition.*

APPENDIX G

Eleven Western States
Percentage of Total Area Under Federal Ownership

State	*Percent*
Nevada	84.71
Utah	71.33
Arizona	69.43
Idaho	64.69
Oregon	52.72
Wyoming	51.61
California	45.74
New Mexico	45.62
Colorado	37.35
Montana	36.54
Washington	34.99

Taken from a Report of the Committee on Public Lands of the House of Representatives, dated November 15, 1949, Serial No. 22.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 7.30 p.m.

Joint Committee to Study Old Age Assistance Initiative Measure, on fourth floor.

Upon Adjournment—

Subcommittee on Ways and Means, in Room 426. Subject: Assembly Bill No. 28.

Next Monday, January 22d—

At Recess or adjournment.

Public Utilities and Corporations.

At 9 a.m.

Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to John G. Terry, instructor, Tamalpais School for Boys, San Rafael, and the following pupils: John Bradley, Alex Bryant, Ted Graupner, Larry Gates, Gary Mulkey, Ross Christiansen, Ken Gabriel, and Robert Borden.

On request of Mr. Kelley, the usual courtesies of the Assembly for this day were unanimously extended to Jim Howard of Earlimart, and J. O. Reavis of Delano.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Margaret Cracchiolo, Joseph Cracchiolo, and Martin Cracchiolo of Moberly, Missouri, and Fred Cracchiolo of Sacramento.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Arthur Brooks of Los Angeles and Mrs. Fay Philip of Sacramento.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Former Senator T. H. De Lap of Richmond.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Judge Strother P. Walton of Fresno

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Jim Jolly of San Francisco and Charles W. Thomas of Sacramento.

ADJOURNMENT

At 4.17 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m , Monday, January 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 22, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

Request for Unanimous Consent That Names of Members in Meeting of Committee on Rules Be Placed Upon the Morning Roll Call

Mr. Stewart asked for, and was granted, unanimous consent that the names of the members of the Committee on Rules, now holding a meeting, be placed upon the morning roll call as follows: Messrs. Crowley, Dickey, Dolwig, Doyle, Dunn, Geddes, Hollibaugh, Lyon, Maloney, McCollister, McMillan, Waters, and Kilpatrick.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

January 22, 1950

Almighty God, Our Father in Heaven, Awaken us to Thy holy presence "If I take the wings of the morning and dwell in the uttermost parts of the sea, there shall Thy hand lead me, and Thy right hand shall hold me." We especially pray for the

member of our own Assembly who has met with such a tragic accident and bereavement We pray that Thy healing hands of mercy may rest upon him.

"We share our mutual woes,
Our mutual burdens bear,
And often for each other flows
Thy sympathizing tear."

We ask it in the name of Christ, the Great Physician.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Erwin, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Hansen.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Henderson, on motion of Mr. Hansen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA BUSINESS WOMEN'S COUNCIL, January 22, 1951

Mr. Sam L. Collins, Speaker of the Assembly
State Capitol Building
Sacramento, California

DEAR MR. COLLINS: This letter is to ask you to announce that the California Business Women's Council banquet is being held at the Hotel Senator, tonight at 6 30 p m., *that all Assemblymen who have not accepted and who wish to be present,* please contact Ruth M. Sutton, public stenographer at the Hotel Senator, by noon today, if possible.

The California Business Women's Council is not to be confused with the Business and Professional Womens' luncheon being held at noon today. This is entirely a separate organization.

Very truly yours,

RUTH B. HUGHES, President

P. S. Those present in the Assembly this morning are:

Ruth Hughes of Rosemead, President, California Business Women's Council.

Rosalind Goodrich Bates—Los Angeles—President of International Federation of Women Lawyers.

Mildred Hutchison—San Francisco—Past President of California Associated Schools of Cosmetology

Marie Jeannerette—Pasadena, Vice President—National Association of Legal Secretaries.

Ruth M. Sutton—Sacramento—Past President Hotel Greeters Ass'n.

Dolly Lee Butler—Los Angeles—President, Southern California Women Lawyers.

Marie Dinuzzo—Los Angeles—Past President, Women Peace Officers Association of California.

Irene Doup—Los Angeles—Recording Secretary, Home Service Ass'n.

Elsie Brown—Los Angeles—2d Vice President, Los Angeles Business Womens' Council.

Ethel Winters—Sacramento—President, Sacramento Cosmotologist Association.

Hazel Kellans—Los Angeles.

Lillian Blank—Los Angeles.

Rowena Cornet—Riverside.

MOTION TO PLACE RUSH ORDER ON PRINTING OF ASSEMBLY BILLS NOS. 1742, 1743, AND 1637

Mr. Connolly moved that a rush order be placed upon the printing of Assembly Bills Nos. 1742, 1743, and 1637, which have been previously introduced, but are not yet printed.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the seventh day of November, 1950;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-second day of January, 1951, at 9 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 248

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT PERMISSION BE GRANTED TO SIGN NAME OF MEMBER WHO IS ILL TO BILLS

Speaker Sam L. Collins asked for, and was granted, unanimous consent that permission be granted him to sign the name of Mr. Butters to the bills which he is authoring, because Mr. Butters is ill, and unable to sign his own bills.

REQUEST FOR UNANIMOUS CONSENT THAT SERGEANT-AT-ARMS BE PERMITTED TO OPEN DESK OF MR. BUTTERS

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Sergeant-at-Arms be permitted to open the desk of Mr. Butters to look for bills which he may have desired to sponsor.

ANNOUNCEMENT

Speaker Sam L. Collins announced that he has discussed with the Legislative Counsel the desirability of eliminating obsolete and unnecessary language from the laws, and is introducing a long series of bills, technical in nature, which will all be referred to the Committee on Judiciary for the purpose of achieving this objective.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2135: By Messrs. Maloney, George D. Collins, Gaffney, Berry, McCarthy, and Meyers—An act to amend Sections 1732, 1732.6, 1732 7, and 1733 of the Harbors and Navigation Code, relating to

officers and employees of the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2136: By Messrs. Maloney, Brady, Gaffney, Berry, Connolly, McCarthy, and Meyers—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured.

Referred to Committee on Judiciary.

Assembly Bill No. 2137: By Messrs. Maloney, Brady, Gaffney, Berry, George D. Collins, Connolly, McCarthy, and Meyers—An act to declare that certain land situated in the City and County of San Francisco is no longer necessary for navigation, commerce, fisheries or street uses, and authorizing the Board of State Harbor Commissioners for San Francisco Harbor to sell or exchange such lands.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2138: By Messrs. Maloney, Brady, Gaffney, Berry, Connolly, McCarthy, and Meyers—An act to amend Section 1732.6 of the Harbors and Navigation Code, relating to the salary of the Port Manager for San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2139: By Messrs. Maloney, George D. Collins, Gaffney, Berry, Brady, Connolly, McCarthy, and Meyers—An act to amend Sections 1770, 1971 1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2140: By Messrs. Maloney, Brady, Gaffney, Berry, George D. Collins, Connolly, and McCarthy—An act creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the performance of public works from the proceeds thereof; authorizing the creation of a Fund for the Improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, State Railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents, security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the

investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2141: By Mr. Dills—An act to amend Section 4818 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health.

Assembly Bill No. 2142: By Mr. Stewart—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6607, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2143: By Mr. Sam L. Collins—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2144: By Mr. Sam L. Collins—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve.

Referred to Committee on Judiciary.

Assembly Bill No. 2145: By Mr. Sam L. Collins—An act to repeal Section 10651 of the Insurance Code, relating to associations.

Referred to Committee on Judiciary.

Assembly Bill No. 2146: By Mr. Sam L. Collins—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State.

Referred to Committee on Judiciary.

Assembly Bill No. 2147: By Mr. Sam L. Collins—An act to amend Section 960 of the Welfare and Institutions Code, relating to public schools in juvenile homes or camps.

Referred to Committee on Judiciary.

Assembly Bill No. 2148: By Mr. Sam L. Collins—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Referred to Committee on Judiciary.

Assembly Bill No. 2149: By Mr. Sam L. Collins—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways.

Referred to Committee on Judiciary.

Assembly Bill No. 2150: By Mr. Sam L. Collins—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees.

Referred to Committee on Judiciary.

Assembly Bill No. 2151: By Mr. Sam L. Collins—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 2152: By Mr. Sam L. Collins—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners.

Referred to Committee on Judiciary.

Assembly Bill No. 2153: By Mr. Sam L. Collins—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extra Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections.

Referred to Committee on Judiciary.

Assembly Bill No. 2154: By Mr. Sam L .Collins—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury.

Referred to Committee on Judiciary.

Assembly Bill No. 2155: By Mr. Sam L. Collins—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2156: By Mr. Sam L. Collins—An act to amend Section 2411 of the Labor Code, relating to public labor camps.

Referred to Committee on Judiciary.

Assembly Bill No. 2157: By Mr. Sam L. Collins—An act to amend Section 2102 of the Labor Code, relating to public labor camps.

Referred to Committee on Judiciary.

Assembly Bill No. 2158: By Mr. Sam L. Collins—An act to amend Section 1596 of the Labor Code, relating to employment agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 2159: By Mr. Sam L. Collins—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications.

Referred to Committee on Judiciary.

Assembly Bill No. 2160: By Mr. Sam L. Collins—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings.

Referred to Committee on Judiciary.

Assembly Bill No. 2161: By Mr. Sam L. Collins—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers.

Referred to Committee on Judiciary.

Assembly Bill No. 2162: By Mr. Sam L. Collins—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Referred to Committee on Judiciary.

Assembly Bill No. 2163: By Mr. Sam L. Collins—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans.

Referred to Committee on Judiciary.

Assembly Bill No. 2164: By Mr. Sam L. Collins—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Referred to Committee on Judiciary.

Assembly Bill No. 2165: By Mr. Sam L. Collins—An act to amend Section 9060 of the Insurance Code, relating to exemptions.

Referred to Committee on Judiciary.

Assembly Bill No. 2166: By Mr. Sam L. Collins—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2167: By Mr. Sam L. Collins—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues.

Referred to Committee on Judiciary.

Assembly Bill No. 2168: By Mr. Sam L. Collins—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class.

Referred to Committee on Judiciary.

Assembly Bill No. 2169: By Mr. Sam L. Collins—An act to amend Section 26529 of the Government Code, relating to appointment of county counsels.

Referred to Committee on Judiciary.

Assembly Bill No. 2170: By Mr. Sam L. Collins—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process.

Referred to Committee on Judiciary.

Assembly Bill No. 2171: By Mr. Sam L. Collins—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Referred to Committee on Judiciary.

Assembly Bill No. 2172: By Mr. Sam L. Collins—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature.

Referred to Committee on Judiciary.

Assembly Bill No. 2173: By Mr. Sam L. Collins—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups.

Referred to Committee on Judiciary.

Assembly Bill No. 2174: By Mr. Sam L. Collins—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds.

Referred to Committee on Judiciary.

Assembly Bill No. 2175: By Mr. Sam L. Collins—An act to amend and renumber Section 6904 of the Education Code, relating to average daily attendance in school districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2176: By Mr. Sam L. Collins—An act to amend Section 4663 of the Education Code, relating to annexation of school districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2177: By Mr. Sam L. Collins—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education.

Referred to Committee on Judiciary.

Assembly Bill No. 2178: By Mr. Sam L. Collins—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Referred to Committee on Judiciary.

Assembly Bill No. 2179: By Mr. Sam L. Collins—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2180: By Mr. Sam L. Collins—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 2181: By Mr. George D. Collins—An act to repeal Sections 1131-1136, inclusive, of the Labor Code, relating to "hot cargo" and the "secondary boycott."

Referred to Committee on Judiciary.

Assembly Bill No. 2182: By Mr. George D. Collins—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2183: By Mr. Butters—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2184: By Mr. Butters—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2185: By Mr. Butters—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and recreational areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 2186: By Mr. Butters—An act to amend Section 3 of the Wildlife Conservation Act of 1947, relating to recreational areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 2187: By Mr. Dills—An act to add Section 2316 6 to the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 2188: By Mr. Beck—An act to add Section 207 to the Education Code, relating to registration and licensing of private schools.

Referred to Committee on Education.

Assembly Bill No. 2189: By Mr. Beck—An act to amend Section 8751 of the Health and Safety Code, relating to investment of perpetual care funds.

Referred to Committee on Public Health.

Assembly Bill No. 2190: By Mr. Beck—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2191: By Mr. Beck—An act to add Section 35304.5 to the Government Code, relating to the annexation by cities of uninhabited territory.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2192: By Mr. Beck—An act to amend Sections 9.02 and 12.09 of the Building and Loan Association Act, and to amend Sections 6702 and 6704 of the Financial Code, relating to investments of building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2193: By Mr. Beck—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2194: By Mr. Beck—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2195: By Mr. Beck—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to hog farms.

Referred to Committee on Agriculture.

Assembly Bill No. 2196: By Mr. Levering—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 2197: By Mr. Levering—An act to add Sections 1563, 2189.1, 3094, and 3483 to the Welfare and Institutions Code, relating to federal, state, and county participation in the cost of excess public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 2198: By Mr. Levering—An act to add Sections 21292 1 and 21292.2 to the Government Code, relating to the State Employees' Retirement System in respect to the disability retirement allowances of patrol members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2199: By Mr. Elliott—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2200: By Mr. Elliott—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2201: By Mr. Elliott—An act to add Section 2160.3 of the Welfare and Institutions Code, relating to aid to the aged in respect to the minimum age of eligibility therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2202: By Mr. Elliott—An act to amend Sections 2020 and 2025 of the Welfare and Institutions Code, relating to aid to the aged in respect to the amount thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 2203: By Mr. Elliott—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01, 2224, 3088, 3088.1, 3474, and 3474.1 of the Welfare and Institutions Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, in respect to the liability of responsible relatives of recipients thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 2204: By Mr. Elliott—An act to amend Section 2160 of the Welfare and Institutions Code, relating to aid to the aged in respect to the eligibility of aliens therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2205: By Mr. Thomas—An act to add Section 32 to an act entitled "An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products," approved June 10, 1933 (Chapter 815, Statutes of 1933), relating to bringing corporations under the provisions of said act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2206: By Mr. Thomas—An act to amend Section 845 of the Fish and Game Code, relating to nets

Referred to Committee on Fish and Game.

Assembly Bill No. 2207: By Mr. Thomas—An act to amend Section 20 of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2208: By Mr. Thomas—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2209: By Messrs. Porter and Grant—An act to add Section 228.5 to the Civil Code, relating to the rights of grandparents in respect to children in the custody of persons other than their natural parents under court order.

Referred to Committee on Judiciary.

Assembly Bill No. 2210: By Mr. Porter—An act to amend Section 633 of the Agricultural Code, relating to cultured buttermilk.

Referred to Committee on Agriculture.

Assembly Bill No. 2211: By Mr. Tomlinson—An act to amend Sections 8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933, relating to districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2212: By Mr Tomlinson—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2213: By Mr. Grant—An act to add Section 1012 to the Public Utilities Act, relating to the location or routes of street railroads and public utility lines outside the boundaries of any city or city and county.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2214: By Mr. Stanley—An act to amend Section 458 of the Street and Highway Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2215: By Messrs. Fleury and Moss—An act to add Article 5 to Chapter 3, Division 1 of the Streets and Highways Code, relating to roadside parks in conjunction with the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2216: By Messrs. Fleury and Moss—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 2217: By Messrs. Fleury and Moss—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2218: By Messrs. Fleury and Moss—An act to add Section 14074 5 to the Health and Safety Code, relating to the powers and duties of boards of fire commissioners of fire protection districts, in respect to civil service

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2219: By Messrs. Fleury and Moss—An act to amend the title of Division 2 of Title 1 of the Government Code, and to add Chapter 3 to such division, relating to the state map, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2220: By Mr. Conrad—An act to amend Section 5932 of the Elections Code and to repeal Sections 5882 and 7791.5, and Article 3a of Chapter 5 of Division 8 of said code, relating to absent voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2221: By Mr. Conrad (By Request)—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2222: By Mr. Conrad (By Request)—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2223: By Mr. Conrad (By Request)—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2224: By Mr. Porter—An act to add Sections 1306.1 and 1306.2 to the Education Code, relating to contracts of employment of superintendents of school districts.

Referred to Committee on Education.

Assembly Bill No. 2225: By Mr. Sherwin—An act to amend Section 6716 of the Business and Professions Code, relating to rosters of registered civil engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2226: By Mr. Sherwin—An act to amend Sections 11382.5, 11409.5, and 26803.5 of the Government Code, and to add Section 6360.5 to the Business and Professions Code, relating to the California Administrative Code and the California Administrative Register.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2227: By Mr. Sherwin—An act to add Article 3.5, comprising Section 11615, to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704, of said code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2228: By Mr. Condon—An act to provide for the promotion and advertising of the California walnut and making an appropriation.

Referred to Committee on Agriculture.

Assembly Bill No. 2229: By Mr. Condon—An act to amend Sections 30 and 89 of the Community Redevelopment Act, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2230: By Mr. Condon—An act to add Section 32131 to the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 2231: By Mr. Kirkwood—An act to amend Section 10053 of, and to add Section 10056 to, the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 29: By Mr. Levering—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1½ of Article XIII thereof, relating to taxation.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2232: By Mr. Kirkwood—An act to amend Section 2502 of, and to add Section 2502.1 to, the Education Code, relating to the change of school district boundaries.

Referred to Committee on Education.

Assembly Bill No. 2233: By Mr. Kirkwood—An act to add Section 20 to the Welfare and Institutions Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2234: By Mr. Kirkwood—An act to add Section 25 to the Water Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2235: By Mr. Kirkwood—An act to add Section 30 to the Streets and Highways Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2236: By Mr. Kirkwood—An act to add Section 29 to the Revenue and Taxation Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Legislative Counsel has advised him that the work of his office and staff is completed, and that all bills, as of today, are ready for presentation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2237: By Mr. Kirkwood—An act to add Section 19 to the Public Resources Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2238: By Mr. Kirkwood—An act to add Section 19 to the Military and Veterans Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2239: By Mr. Kirkwood—An act to add Section 25 to the Health and Safety Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2240: By Mr. Kirkwood—An act to add Section 26 to the Harbors and Navigation Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2241: By Mr. Kirkwood—An act to add Section 24 to the Government Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2242: By Mr. Kirkwood—An act to add Section 29 to the Education Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2243: By Mr. Kirkwood—An act to add Section 19 to the Agricultural Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2244: By Mr. Cloyed—An act making an appropriation for the relocation of Highway No. 395 over Hodges Reservoir lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2245: By Mr. Cloyed—An act to amend Sections 805 and 806 of the Health and Safety Code, relating to regulations of plumbing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2246: By Mr. Cloyed—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2247: By Mr. Cloyed—An act to amend Sections 30004, 30005, 30006, 30008, 30100, and 30101 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2248: By Mr. Cloyed—An act to amend Sections 9355.1 and 9359 of the Government Code, relating to the Legislator's Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2249: By Mr. Burke—An act to add Section 6360 to the Education Code, relating to school district taxes.

Referred to Committee on Education.

Assembly Bill No. 2250: By Mr. Burke—An act to amend Section 467 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2251: By Messrs. Rumford, Hawkins, Condon, Evans, George D. Collins, Dills, Dunn, Elliott, Parker, and Rosenthal—An act relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees and making an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2252: By Mr. Rumford—An act to amend Sections 29001, 29007, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 2253: By Mr. Crowley—An act to add Sections 17955 and 17956 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2254: By Mr. Crowley—An act to amend Section 20945 of the Education Code, relating to California School for the Blind.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 121—An act to amend Section 10786 of the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 440—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d.1, 24201d 2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 559—An act to amend Sections 17003, 17010, 17019 7, 17058, 17059, 17102.2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318 4, 17318.7, 17320.5, 17322.5, 17322.9, 17322.11, 17324.2, 17324.3, 17327, 17330.1, 17330.3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504,

17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560.9, 17565, 17569, 17672, 17685, 17687, 17725, 17743.1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581, 18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053 3, 19056, 19057, 19058, 19059, 19060, 19061, 19061.1, 19062, 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19151, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 573—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k, 24121o, 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 15731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 577—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a, 25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 26080.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 566—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "17015".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 5 of the printed bill, after line 35 and before line 36, insert

"SEC 17 5 Section 17015 of the Revenue and Taxation Code is amended to read:

17015. *Every individual who spends in the aggregate more than nine months* of the taxable year within this State [or maintains a permanent place of abode within this State] shall be presumed to be a resident The presumption may be overcome by satisfactory evidence that the individual is in the State for a temporary or transitory purpose."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 575—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071*l*, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203c-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 12, line 23, of the printed bill, after "within", strike out "three", and insert "four".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PRELIMINARY REPORT BE PRINTED IN THE JOURNAL

Mr. Kilpatrick asked for, and was granted, unanimous consent that a letter of transmittal and a Preliminary Report of the Assembly Interim Committee on Crime and Correction, Relative to Work Opportunities for Prison Inmates, be ordered printed in the Journal in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 2—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 2?

Amendment No. 1

In line 20 of the printed resolution, after "Bay area", strike out "and", and insert a comma; and after "Harbor", insert "and San Diego Bay area".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 2 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 2 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 23—Relative to the passing of the Honorable A. P. Conant.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2255: By Mr. Crowley—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01, 2224, 3088,

3088.1, 3474, and 3474.1 of the Welfare and Institutions Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, in respect to the liability of responsible relatives of recipients thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 2256: By Mr. Crowley—An act to add Section 4 to the act entitled "An act prohibiting the use of certain canes, except by blind persons, providing protection against accident to such persons, and providing penalties for violation hereof," approved April 30, 1935, relating to the use of white canes by blind persons.

Referred to Committee on Social Welfare.

Assembly Concurrent Resolution No. 19: By Messrs. Dunn and Sam L. Collins—Relative to congratulating Lloyd Lapham.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19

Assembly Concurrent Resolution No. 19—Congratulating Lloyd Lapham.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 19 as Co-authors

Mr. Dunn asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 19, as co-authors.

The roll was called, and the following responded when their names were called:

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

Assembly Concurrent Resolution No. 19: By Messrs. Dunn, Sam L. Collins, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy,

McCollister, McGee, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson, relative to congratulating Lloyd Lapham.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 49

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 8
Assembly Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 14

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 172

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 20: By Mr. Lindsay—Relative to creating the Joint Legislative Committee on Organization and Program.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 21: By Mr. McMillan—Relative to approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Culver City at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 2257: By Mr. Kelly—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to possession of alcoholic beverage.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2258: By Mr. Kelly—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Referred to Committee on Agriculture.

Assembly Bill No. 2259: By Mr. Lindsay—An act making an appropriation to pay the claim against the State of the Nevada County Soil Conservation District.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2260: By Mr. Lindsay—An act relating to regional public works districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2261: By Mr. Lindsay—An act to amend Section 44 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2262: By Mr. Lindsay—An act to add Chapter 1 to Title 7 of the Government Code, relating to conservation and planning.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2263: By Mr. Lindsay—An act to add Section 1239.5 to the Code of Civil Procedure, relating to eminent domain and the use of property acquired pursuant to eminent domain proceedings by the state and public agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 2264: By Mr. Lindsay—An act making an appropriation for the support of the State Conservation and Planning Board during the 1951-1952 Fiscal Year.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2265: By Mr. Lindsay—An act adding Sections 68 and 69 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2266: By Mr. Lindsay—An act authorizing the issuance of bonds for state highways.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2267: By Mr. Lindsay—An act to amend Section 1429 of the Penal Code, relating to the entering of pleas by a defendant.

Referred to Committee on Judiciary.

Assembly Bill No. 2268: By Mr. Hansen—An act to add Section 1225 to the Government Code, relating to the deposit of public funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2269: By Mr. Geddes—An act to amend Section 11736 of, and to add Section 11655.5 to the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2270: By Mr. Geddes—An act to add Section 52 5 to the Vehicle Parking District Act of 1943, relating to the acquisition, maintenance and operation of parking facilities.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 30: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1d to Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2271: By Messrs. McCarthy and George D. Collins—An act to amend Section 815a of the Penal Code, relating to arrest and bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2272: By Messrs. McCarthy and George D. Collins—An act to amend Section 739 of the Vehicle Code, relating to arrest and notice to appear in court.

Referred to Committee on Judiciary.

Assembly Bill No. 2273: By Mr. Lindsay—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2274: By Mr. Lanterman—An act to add Section 9.05 to the Metropolitan Water District Act, relating to annexation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2275: By Messrs. Lanterman and Munnell—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2276: By Mr. Lanterman—An act to add Section 9.06 to the Metropolitan Water District Act, relating to annexation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2277: By Mr. Davis—An act to repeal Sections 1270 and 1272 of, and to add Sections 1270, 1271, 1272, 1273, and 1274, to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 2278: By Messrs. Davis and Moss—An act to add Section 92.1 to the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2279: By Mr. Davis—An act to add Section 547 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2280: By Mr. Davis—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

Referred to Committee on Judiciary.

Assembly Bill No. 2281: By Mr. Davis—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2282: By Mr. Davis—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2283: By Mr. Davis—An act to amend Section 28140 of the Government Code, relating to compensation for public services in counties of the fortieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2284: By Mr Davis—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2285: By Mr. Davis—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2286: By Mr. Davis—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2287: By Mr. Davis—An act to amend Section 28156 of the Government Code, relating to the compensation of county officers in counties of the fifty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2288: By Mr. Davis—An act to amend Section 737r of the Political Code, relating to the compensation of Superior Judges in and for the County of Lassen.

Referred to Committee on Judiciary.

Assembly Bill No. 2289: By Mr. Davis—An act to amend Section 737tt of the Political Code, relating to the compensation of Superior Judges in and for the County of Sierra.

Referred to Committee on Judiciary.

Assembly Bill No. 2290: By Mr. Davis—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Referred to Committee on Judiciary.

Assembly Bill No. 2291: By Mr. Davis—An act to amend Section 737ff of the Political Code, relating to the salary of the Judge of the Superior Court in the County of Plumas.

Referred to Committee on Judiciary.

Assembly Bill No. 2292: By Mr. Davis—An act to amend Section 737ss of the Political Code, relating to the compensation of Superior Judges in and for the County of Shasta.

Referred to Committee on Judiciary.

Assembly Bill No. 2293: By Mr Davis—An act to amend Section 737aaa of the Political Code, relating to the compensation of Superior Judges in and for the County of Trinity.

Referred to Committee on Judiciary.

Assembly Bill No. 2294: By Mr. Davis—An act to amend Section 737uu of the Political Code, relating to the salary of Superior Judges in and for the County of Siskiyou.

Referred to Committee on Judiciary.

Assembly Bill No. 2295: By Messrs. Moss and Fleury—An act to add Section 1005.6 to the Government Code, relating to payment of overtime to state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2296: By Messrs. Hawkins and Elliott—An act to add Chapter 2 to Part 6 of Division 3 of Title 2 of the Government Code, relating to the State School for Criminal Law Enforcement.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2297: By Mr. Hawkins—An act to amend Sections 1511 and 2809 of the Elections Code, relating to platforms of political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2298: By Mr. Brown—An act to amend Section 737xx of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 2299: By Mr. Brown—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2300: By Mr. Brown—An act to amend Section 767 of the Political Code and Section 59.1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2301: By Mr. Brown—An act to amend Section 28037 of the Government Code, relating to the classification of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2302: By Mr. Brown—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2303: By Mr. Brown—An act to amend Section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 2304: By Mr. Dickey—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2305: By Mr. Beck—An act to add Section 481 to the Government Code, relating to Members of the Senate.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2306: By Mr. Geddes—An act to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, and to amend Section 5201 of the Financial Code, relating to the Building and Loan Commissioner.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolutions were offered:

By Messrs Lindsay, Dunn, and Dolwig:

House Resolution No. 50

Relative to the creation of the Assembly Interim Committee on Interstate Highways

WHEREAS, It is necessary that we develop as fully as possible our Interstate Highway System since this system constitutes an integral part of our defense preparation; and

WHEREAS, Our Interstate Highway System constitutes an important part of our transportation system and its continued development is necessary for the promotion of trade and commerce; and

WHEREAS, In particular, U. S. Highways 40 and 50 constitute an essential artery of our Interstate Highway System; and

WHEREAS, Complete information should be available to the Assembly with regard to the development of our Interstate System of Highways as it affects this State, now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Interstate Highways is hereby created and authorized and directed to ascertain, study and analyze all facts relating to our Interstate Highway System as it affects this State, including U. S. Highways 40 and 50, and including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California

7. The sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules

By Mr. Sam L. Collins:

House Resolution No. 51

Relative to initiative measures presented to the Legislature

WHEREAS, Section 1 of Article IV of the Constitution of the State of California provides that, when an initiative petition proposing a law is presented to the Legislature, the law so proposed must be either enacted or rejected without change or amendment by the Legislature within 40 days from the time it is received by the Legislature; and

WHEREAS, Such measures are required to be presented to the Legislature as soon as it convenes and organizes in general session which ordinarily is the first day of the session; and

WHEREAS, The Constitution also provides that the Legislature may meet in general session for not more than 30 days and thereupon must recess for not less than 30 days; and

WHEREAS, If the 40 day period within which the Legislature may act is the first 40 calendar days after the receipt of the measure including the days within the mandatory recess the time within which the Legislature may act would be drastically reduced because the Legislature may not constitutionally be in session more than 30 days prior to the recess, and it was, in fact, in session for only 15 days prior to the constitutional recess of the 1951 General Session; and

WHEREAS, At the time the constitutional amendment relating to initiative measures was proposed to the people the sessions of the Legislature were continuous and no recess was required to be taken and under such conditions the Legislature would have had 40 full calendar days within which it could act upon initiative measures presented to it; and

WHEREAS, The constitutional amendment providing for the bifurcated session and the mandatory recess was proposed later than the constitutional amendment relating to initiative measures and both proposals were adopted at the same election; and

WHEREAS, There is nothing to indicate an actual and deliberate intent on the part of the people in adopting the provision for the bifurcated session to reduce the period within which the Legislature may act upon initiative measures presented to it; and

WHEREAS, It has proved impossible for the Legislature adequately to consider and act upon the important measures presented to it at its 1951 General Session prior to the constitutional recess and had it attempted to take hasty action upon such measures the results might have been improvident; and

WHEREAS, It is essential to the proper functioning of a legislative body that action should be taken only after due deliberation and consideration of all of the aspects of a matter coming before it, and any limitation on the time within which it must act should be construed to allow as much time as possible for the legislative process to function in a normal manner; and

WHEREAS, The constitutional provision in question is susceptible to the construction that the 40 day period is to be calculated as the first 40 days during which the Legislature is in actual session excluding the period of the mandatory recess; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby asserts and claims the right to act on any initiative measure presented to it during the full period of 40 days while the Legislature is in actual session after the receipt by it of such measure, excluding from such 40 day period the days of the mandatory constitutional recess.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2307: By Mr. Geddes—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2308: By Mrs. Niehouse—An act to amend Section 7303 of the Business and Professions Code, relating to the State Board of Cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 2309: By Mrs. Niehouse—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists.

Referred to Committee on Public Health.

Assembly Bill No. 2310: By Mrs. Niehouse—An act to amend Section 14071 of the Education Code, relating to leaves of absence for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 2311: By Mrs. Niehouse—An act to amend Section 9607 1 of the Education Code, relating to contracts for education of physically handicapped minors.

Referred to Committee on Education.

Assembly Bill No. 2312: By Mrs. Niehouse—An act to amend Section 8503 of the Education Code, relating to age of pupils for admission to first grade.

Referred to Committee on Education.

Assembly Bill No. 2313: By Mrs. Niehouse—An act to amend Section 8404 of the Education Code, relating to age of pupils for admission to kindergarten

Referred to Committee on Education.

Assembly Bill No. 2314: By Mrs. Niehouse—An act to amend Section 1501 of the Education Code, relating to contracts for service by county superintendent of schools.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2315: By Mrs. Niehouse—An act to amend Section 9601 2 of the Education Code, relating to contracts for education of physically handicapped minors.

Referred to Committee on Education.

Assembly Bill No. 2316: By Messrs. McCollister, Dills, and Thomas—An act providing that the State of California enter into a compact with the 11 Western States and the Territories of Alaska and Hawaii,

each or all, to promote the better cooperation in higher education in certain professional sciences, and to create the Western Interstate Commission for Higher Education; providing for the members of such commission for the State of California; providing for the administration of the provisions of said compact and the participation of this State therein; and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 2317: By Mr. McCollister—An act providing for the reversion of certain unused funds appropriated for expenditure by the Department of Public Works.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2318: By Messrs. McCollister, Dills, and Thomas—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2319: By Messrs. McCollister, Thomas, and Dills—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2320: By Messrs. McCollister, Thomas, and Dills—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

Referred to Committee on Fish and Game.

Assembly Bill No. 2321: By Messrs. McCollister, Thomas, and Dills—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2322: By Mr. McCollister—An act to add Section 181.5 to the Vehicle Code, relating to transfers of title or interest in or to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2323: By Mr. McCollister—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 2324: By Mr. McCollister—An act to amend Sections 737u of the Political Code and 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 2325: By Mr. McCollister—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2326: By Mr. McCollister—An act to protect the health, safety and welfare of the people of the State of California; defining terms used in this act; prescribing regulations for the practice of massage and the conduct of massage establishments; providing for the creation of a Board of Masseurs and defining the powers and duties of such board; providing for the inspection of all massage establishments and schools and requiring the registration of all who practice or teach massage; appropriating the proceeds thereof to accomplish the purposes of this act; and providing penalties for the violation of any provisions of this act.

Referred to Committee on Public Health.

Assembly Bill No. 2327: By Mr. McGee—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2328: By Mr. McGee—An act to add Sections 159.1, 159.2, and 159.3 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2329: By Messrs. Porter, Rosenthal, Grant, Hahn, and Munnell—An act to amend Section 61.2 of, and to add Sections 61.3, 61.4, 61.5, and 61.6 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof, upon demand, that persons to whom such beverages are served or sold are over the age of 21 years.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2330: By Messrs. Conrad and Kirkwood—An act to amend Sections 19601, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7, 19601.8, and 19607.1 to, and to repeal Sections 19601 5, 19613 5, and 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2331: By Mr. Dills—An act to regulate the use of X-rays and X-ray appliances in connection with the diagnosis and treatment of human ailments.

Referred to Committee on Public Health.

Assembly Bill No. 2332: By Mr. McCarthy—An act to amend Section 12a of the Code of Civil Procedure, relating to computation of time as to holidays.

Referred to Committee on Judiciary.

Assembly Bill No. 2333: By Mr. McCarthy—An act to amend Sections 1764 and 1769 of the Code of Civil Procedure, relating to conciliation.

Referred to Committee on Judiciary.

Assembly Bill No. 2334: By Mr. McCarthy—An act to amend Section 1057 of the Code of Civil Procedure, relating to affidavits of sureties.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DICKEY, Chairman

Above reported resolution ordered re-referred to the Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1220—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately;

And reports the same have been correctly enrolled, and presented to the Governor on the twenty-second day of January, 1951, at 11 a m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2335: By Mr. McMillan—An act to provide for a tax on operators of cigar, cigarette, and tobacco vending machines.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2336: By Mr. McMillan—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Referred to Committee on Public Health.

Assembly Bill No. 2337: By Mr. McMillan—An act to add Section 1816 to the Insurance Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2338: By Mr. McMillan—An act to prohibit the sale of tobacco and tobacco products near schools.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2339: By Mr. McMillan—An act to add Section 308b to the Penal Code, relating to cigarette vending machines.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2340: By Mr. McMillan—An act to add Section 17536 to the Business and Professions Code, relating to the advertising of auction sales.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2341: By Mr. Tomlinson—An act to amend Section 84 of the Civil Code, relating to award of custody of children of annulled marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2342: By Mr. Tomlinson—An act to add Section 88 to the Civil Code, relating to restoration of name in action to annul or void marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2343: By Messrs. Kilpatrick and Munnell—An act to add Section 145 to the Welfare and Institutions Code, relating to public assistance, to provide for increase of assistance payments upon increase in costs of living.

Referred to Committee on Social Welfare.

Assembly Bill No. 2344: By Messrs. Kilpatrick, Burkhalter, and Cooke—An act to amend Section 1620 of the Welfare and Institutions Code, relating to the licensing of persons, associations, or corporations accepting the care and custody of minors.

Referred to Committee on Social Welfare.

Assembly Bill No. 2345: By Mr. Stanley—An act to add Section 4730.5 to the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2346: By Mr. Fleury—An act to amend Section 526 of the Agricultural Code, relating to milk products plant.

Referred to Committee on Agriculture.

Assembly Bill No. 2347: By Mr. Fleury—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700, 50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 and to add Sections 50014, 51332.1, 51332.2 and to repeal Section 50733, relating to reclamation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2348: By Mr. Fleury—An act to add Section 28367 to the Health and Safety Code, relating to canneries.

Referred to Committee on Public Health.

Assembly Bill No. 2349: By Mr. Fleury—An act to amend Sections 16409, 16900, 16905, 16906, 17459, 17462, 17463, and adding Sections 16907, 16908, 16909, and 16910 of Division 13, Part 1, of the Health and Safety Code, relating to health and safety requirements for housing.

Referred to Committee on Public Health.

Assembly Bill No. 2350: By Mr. Fleury—An act to add Article 3.5 to Chapter 4 of Part 2, Division 13 of the Health and Safety Code, repealing Section 18470, and adding Sections 18470.1 to 18470.5 inclusive to said code, relating to health and safety requirements in transient occupancy spaces of auto courts and motels.

Referred to Committee on Public Health.

Assembly Bill No. 2351: By Mr. Shaw—An act to amend Section 1151 of the Agricultural Code, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 2352: By Mr. Shaw—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class, including fees for phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2353: By Mr. Shaw—An act to add Section 28021.5 to the Government Code, relating to the classification of counties

Referred to Committe on Municipal and County Government.

Assembly Bill No. 2354: By Mr. Shaw—An act to add Section 754 to the Agricultural Code, relating to the standardization of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 2355: By Mr. Shaw—An act to add Section 450.5 to the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

Assembly Bill No. 2356: By Mr. Shaw—An act to amend Section 301 of the Agricultural Code, relating to animals.

Referred to Committee on Agriculture.

Assembly Bill No. 2357: By Mr. Shaw—An act to amend Section 20 of the Agricultural Code, relating to the administration of the law governing plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2358: By Mr. Shaw—An act making an appropriation to fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2359: By Mr. Shaw—An act to amend Section 6 of the Agricultural Code, relating to agriculture

Referred to Committee on Agriculture.

Assembly Bill No. 2360: By Mr. Shaw—An act to add Section 61 to The State Water Resources Act of 1945, relating to flood control projects.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2361: By Mr. Shaw—An act to amend Section 5047 of the Welfare and Institutions Code, relating to the procedure and examination of the mental health of a person alleged to be mentally ill, in respect to the liability of persons filing petitions for such examination.

Referred to Committee on Social Welfare.

Assembly Bill No. 2362: By Mr. Shaw—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to reporters for superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2363: By Messrs. Brown and Shaw—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716 and 773 of said code, and to repeal Sections 715 and 772 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Referred to Committee on Judiciary.

Assembly Bill No. 2364: By Messrs. Brown and Shaw—An act to add Section 225q to the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

Assembly Bill No. 2365: By Messrs Brown and Shaw—An act to amend Section 225p of the Civil Code, relating to adoptions

Referred to Committee on Judiciary.

Assembly Bill No. 2366: By Mr. Shaw—An act creating an Anti-Totalitarian Civil Liberties Defense Commission, and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2367: By Messrs. Smith and Brown—An act to amend Sections 285, 286, 288a, and 264 of the Penal Code, relating to sex crimes.

Referred to Committee on Judiciary.

Assembly Bill No. 2368: By Messrs. Smith, Burkhalter, and Beck—An act to add Section 531 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2369: By Messrs. Smith and Lipscomb—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2370: By Messrs. Smith, Lipscomb, and Rumford—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10.5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2371: By Messrs. Smith, Lipscomb, and Rumford—An act to amend Sections 26270 and 26271 of the Health and Safety Code, and to amend Section 17500.1 of, and to add Sections 17500.2 and 17533.6 to, the Business and Professions Code, relating to false advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2372: By Messrs. Kirkwood and Coats—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 2373: By Messrs. Kirkwood and Coats—An act to add Section 18596 to the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2374: By Messrs. Burkhalter and Beck—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2375: By Messrs. Burkhalter, Beck, and Conrad—An act to amend Section 459 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2376: By Mr. Burkhalter—An act to add Section 2607 to the Public Resources Code, relating to surface mining.

Referred to Committee on Manufacturing, Oil, and Mining Industry

Assembly Bill No. 2377: By Mr. Burkhalter—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2378: By Mr. Burkhalter (By Request)—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2379: By Mr. Burkhalter (By Request)—An act to amend Sections 49, 72, and 74 of the Conservation and Planning Act, and to amend Sections 65252, 65253, 65254, 65301, 65331, and 65332 of the Government Code, relating to planning commissions.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2380: By Mr. Maloney—An act to repeal Section 954 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Stanley asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal in 10-point type:

LETTER OF TRANSMITTAL

JOINT COMMITTEE ON WATER PROBLEMS
CALIFORNIA LEGISLATURE, January 22, 1951

To the Members of the Legislature
State of California
1951 Regular Session

Pursuant to Senate Concurrent Resolution No. 66, 1949 Session, your Joint Committee of the Senate and Assembly, herewith submits its Final Report to the Legislature on Water Problems of the State of California.

Respectfully yours,

GEO. R. BUTTERS
Assemblyman Geo. R. Butters, Chairman
Joint Committee on Water Problems
Vice, Senator Bradford S. Crittenden

Above mentioned Final Report has been previously printed as a separate document. Copy which accompanied above letter of transmittal ordered filed with the Secretary of State.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Stanley asked for, and was granted, unanimous consent that a letter of transmittal and a Preliminary Report of the Assembly Interim Committee on Aviation be ordered printed in the Journal in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND 500 ADDITIONAL COPIES BE PRINTED

Mr. Stanley asked for, and was granted, unanimous consent that the above mentioned Preliminary Report of the Assembly Interim Committee on Aviation be printed as a separate document, in 10-point type, and that 500 additional copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2381: By Mr. Maloney—An act to amend Sections 19484 and 19538 of, and to add Sections 19485.5 and 19597.5 to, the Business and Professions Code, relating to horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2382: By Mr. Maloney—An act to amend Section 17003, and to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the arrest of truants.

Referred to Committee on Education.

Assembly Bill No. 2383: By Mr. Maloney—An act making an appropriation to pay the claim of the Comptroller of the Department of Employment against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2384: By Mr. Maloney—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees in superior and municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2385: By Mr. Burkhalter—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2386: By Mr. Geddes—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto,and repealing certain sections, acts, and parts of acts specified therein.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2387: By Mr. Geddes—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," (Chapter 196 of the Statutes of 1931).

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2388: By Mr. Geddes—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909).

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2389: By Mr. Geddes—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2390: By Mr. Geddes—An act to add Section 3166 to the Financial Code, relating to the payment ofclaims to trust property or money deposited with the State Treasurer.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2391: By Mr. Geddes—An act to amend Section 500 of the Financial Code, relating to banking.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2392: By Mr. Geddes—An act to amend Section 1764 of the Financial Code, relating to banking.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2393: By Mr. Geddes—An act to amend Section 3360 of the Financial Code, relating to banking

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2394: By Mr. Geddes—An act to amend Section 5064 of the Financial Code, relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2395: By Mr. Geddes—An act to amend Section 5351 of the Financial Code, relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2396: By Mr. Geddes—An act to amend Section 8114 of the Financial Code, relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2397: By Mr. Geddes—An act to amend Section 12204 of the Financial Code, relating to check sellers and cashers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2398: By Mr. Geddes—An act to amend Section 14550 of the Financial Code, relating to credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2399: By Mr. Geddes—An act to amend Section 17004 of the Financial Code, relating to escrow agents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2400: By Mr. Geddes—An act to amend Section 18209 of the Financial Code, relating to the regulation of loans and lenders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2401: By Mr. Geddes—An act to amend Section 22211 of the Financial Code, relating to the regulation of loans and lenders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2402: By Mr. Geddes—An act to amend Section 24413 of the Financial Code, relating to the regulation of loans and lenders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2403: By Mr. Geddes—An act to amend Section 27002 of the Financial Code, relating to insured loans or advances of credit.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2404: By Mr. Conrad (By Request)—An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2405: By Mr. Waters (By Request)—An act to amend Section 20867 of the Government Code, relating to the State Employees' Retirement Law.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2406: By Messrs. Smith and Lipscomb—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2407: By Mr. Waters—An act to amend Section 19437 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2408: By Mr. Waters—An act to amend Section 5620 of the Elections Code, relating to challenges.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2409: By Mr. Waters—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2410: By Mr. Waters—An act to amend Section 986 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2411: By Mr. Waters—An act to amend Section 987 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2412: By Mr. Waters—An act to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Referred to Committee on Public Health.

Assembly Bill No. 2413: By Mr. Waters—An act to amend Section 337a of the Penal Code, relating to bookmaking.

Referred to Committee on Judiciary.

Assembly Bill No. 2414: By Mr. Waters—An act to amend Section 19563 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions

Assembly Bill No. 2415: By Mr. Waters—An act to add Chapter 3.5 to Division 10 of the Elections Code, relating to contests of elections for the office of Member of the Senate or the Assembly.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2416: By Mr. Waters—An act to amend Sections 3803 and 3807 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-deeded property sold to taxing agencies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2417: By Mr. Waters—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2418: By Mr. Waters—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2419: By Mr. Waters—An act to add Section 768 to the Insurance Code, relating to the designation of particular insurance agents or brokers by persons, firms, and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2420: By Mr. Waters—An act to amend Section 19511 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2421: By Mr. Waters—An act to amend Section 19431 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2422: By Mr. Waters—An act to amend Section 19435 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2423: By Mr. Luckel and Mrs. Niehouse (By Request)—An act to amend Sections 714.5, 717, 717.5, 867, and 868 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2424: By Mr. Luckel (By Request)—An act, to to be known as the State Armed Services Act, adding Sections 161a, 301, 302, 303, 304, 305, and 306 to the Military and Veterans Code, relating to the Armed Services of the State.

Referred to Committee on Military Affairs.

Assembly Bill No. 2425: By Mr. Luckel (By Request)—An act to add Section 18196.5 to the Education Code, relating to school building construction.

Referred to Committee on Education.

Assembly Bill No. 2426: By Mr. Rosenthal—An act to add Section 16750.5 to the Business and Professions Code, relating to the institution of proceedings against combination in restraint of trade.

Referred to Committee on Judiciary.

Assembly Bill No. 2427: By Mr. Rosenthal—An act to amend Section 17043 of the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Judiciary.

Assembly Bill No. 2428: By Mr. Rosenthal—An act to amend Section 17070 of the Business and Professions Code, relating to the enjoining of unfair trade practices and the recovery of damages therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2429: By Mr. Rosenthal—An act to amend Section 17072 of the Business and Professions Code, relating to evidence in unfair practice actions.

Referred to Committee on Judiciary.

Assembly Bill No. 2430: By Mr. Hawkins—An act to amend Sections 3709 and 3944 of the Elections Code, relating to the direct primary.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2431: By Mr. Hawkins—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2432: By Mr. Hawkins—An act to amend Section 1613 of the Elections Code, relating to county and township elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2433: By Mr. Hawkins—An act to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677, and to amend Section 681, of the Elections Code, relating to election officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2434: By Mr. Conrad—An act to amend Section 7964.5 of the Elections Code, relating to canvass and return of results at primaries.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2435: By Mr. Conrad—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2436: By Mr. Conrad—An act to amend Section 7072 of the Elections Code, relating to canvass at the precincts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2437: By Mr. Conrad—An act to amend Sections 11108 and 11120 of the Elections Code, relating to municipal officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2438: By Mr. Conrad—An act to amend Sections 9750, 9751, and 9757 of the Elections Code, relating to elections in fifth and sixth class cities.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2439: By Mr. Conrad—An act to amend Sections 5505, 5508, 5560, and 5565, and to repeal Section 5562, of the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 2440: By Mr. Levering—An act to add Section 6485.5 to the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2441: By Mr. Levering—An act to amend Section 3 of the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

Assembly Bill No. 2442: By Mr. Chapel—An act to amend Section 2454, and to repeal Sections 2455, 2456, 2457, 2458, and 2459, of the Elections Code, relating to county central committees in counties containing more than 20 assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2443: By Mr. Chapel—An act to amend Sections 2897 and 2898 of the Elections Code, relating to names on ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2444: By Mr. Chapel—An act to amend Section 3150 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2445: By Mr. Chapel—An act to amend Section 3824 of the Elections Code, relating to forms of ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2446: By Mr. Chapel—An act to amend Section 3924 of the Elections Code, relating to direct primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2447: By Messrs. Davis and Kelly—An act to add Section 963.3 to the Agricultural Code, relating to seed testing and certification, and making an appropriation.

Referred to Committee on Agriculture.

Assembly Bill No. 2448: By Messrs. Stewart and Lincoln—An act to repeal Sections 5536 and 5537 of, and to add Sections 5503, 5536, 5537, and 5542 to, the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2449: By Mr. Belotti—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2450: By Messrs. Hinckley and Shaw—An act to amend Section 1873 of the Civil Code, relating to unclaimed property.

Referred to Committee on Judiciary.

Assembly Bill No. 2451: By Mr Lyon—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to auctioneers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2452: By Mr. Lyon—An act to repeal Part 4, comprising Sections 9601 to 10501, inclusive, of Division 2 of the Revenue and Taxation Code, and to add Part 4, comprising Sections 9601 to 9824, inclusive, to Division 2 of the Revenue and Taxation Code, relating to state taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2453: By Mr. Lyon—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2454: By Mr. Lyon—An act to amend Sections 1305 and 1306 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2455: By Mr. Lyon—An act to amend Section 1647 of the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2456: By Mr. Lyon—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142.3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

Referred to Committee on Agriculture.

Assembly Bill No. 2457: By Mr. Lyon—An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2458: By Mr. Lyon—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail

Referred to Committee on Judiciary.

Assembly Bill No. 2459: By Mr. Lyon—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 2460: By Mr. McCarthy—An act to add Section 48 to the Elections Code, relating to circulators of petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2461: By Mr. McCarthy—An act to add Section 2598 to Article 4 of Chapter 2 of Division 5 of the Elections Code, relating to the printing of candidates names on primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2462: By Mr. McCarthy—An act to amend Sections 3043 and 3084 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2463: By Mr. Morris—An act to add Section 597.5 to the Penal Code, relating to the earcropping of dogs.

Referred to Committee on Judiciary.

Assembly Bill No. 2464: By Mr. Morris—An act to add Section 604.14 to the Vehicle Code, relating to ambulance drivers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2465: By Mr. Morris—An act to amend Section 19533 of the Government Code, relating to layoff of state civil service employees, with respect to veterans' preference.

Referred to Committee on Military Affairs.

Assembly Bill No. 2466: By Mr. Morris—An act to amend Section 18901 of the Government Code, and to add Section 19394.5 thereto, relating to the State and service, providing for the retention of veterans' names on employment lists therefor, and for appointments of persons absent in military service.

Referred to Committee on Military Affairs.

Assembly Bill No. 2467: By Mr. Morris—An act to amend Section 18973 of the Government Code, relating to the preference of veterans and widows of veterans in examinations for the state civil service.

Referred to Committee on Military Affairs.

Assembly Bill No. 2468: By Mr. Morris—An act to repeal Chapter 3, of Division 7 of Part 2, comprising Sections 16900 to 16905, inclusive, of the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Judiciary.

Assembly Bill No. 2469: By Mr. Morris—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2470: By Mr. Morris—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2471: By Mr. Morris—An act to add Section 647.1 to the Penal Code, relating to vagrancy.

Referred to Committee on Judiciary.

Assembly Bill No. 2472: By Mr. Morris—An act to add Section 4302.5 to the Government Code, relating to public purchases of duplicating machines and supplies therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2473: By Mr. Morris—An act to add Article 3 to Chapter 3 of Division 12 of the Elections Code, relating to the election of judicial officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2474: By Messrs. Burkhalter, Beck, Levering, McMillan, and Thomas—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2475: By Messrs. Burkhalter, Beck, Levering, McMillan, and Thomas—An act to add Section 550 to the Streets and Highways Code, relating to the State Highways System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2476: By Mr. Burkhalter—An act to amend Sections 54 and 55 of, and to add Sections 51.5 and 51.6 to, the Fish and Game Code, relating to game management.

Referred to Committee on Fish and Game.

Assembly Bill No. 2477: By Mr. Burkhalter—An act to amend Section 59 of the Fish and Game Code, relating to game management.

Referred to Committee on Fish and Game.

Assembly Bill No. 2478: By Mr. Burkhalter—An act to repeal Chapter 3 of Division 2 of the Business and Professions Code and to add Chapter 3 to such division, relating to clinical laboratories.

Referred to Committee on Public Health.

Assembly Bill No. 2479: By Mr. Stewart—An act to amend Section 19538 of, and to add Sections 19538.1, 19538.2, and 19485 5 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2480: By Mr. Hollibaugh—An act to provide for city street and county road crossings over railroad rights of way.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2481: By Mr. Hollibaugh—An act to add Section 5013.5 to the Public Resources Code, relating to historical sites.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2482: By Messrs. Davis, Geddes, Grant, Porter, and Erwin—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture.

Assembly Bill No. 2483: By Messrs. Davis, Moss, Evans, and Hinckley—An act to amend Section 5154 of the Public Resources Code, relating to county fair property and the use thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2484: By Messrs. Davis, Moss, Evans, and Hinckley—An act to add Section 92.1 to the Agricultural Code, relating to district and county agricultural fairs.

Referred to Committee on Agriculture.

Assembly Constitutional Amendment No. 31: By Messrs. Kirkwood and Coats—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 2 of Article IX of said Constitution, relating to education.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 32: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by Assembly Constitutional Amendment No. _____. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 14 of Article VI thereof, relating to attaches of the superior courts.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 33: By Mr. Lyon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 21 to Article XI, relating to regulation and taxation by cities, counties, and cities and counties, in fields occupied by the State.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 13: By Mr. Maloney—Relative to tolls on the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation and Commerce.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 24
Senate Bill No. 25
Senate Bill No. 120

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 120—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 687

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 34: By Messrs. Lincoln, Maloney, and Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by an amendment to the first paragraph of Section 1, and to Sections 3, 4, 5, 6, 17, 19, and 27 of, and to add Section 38 to Article IV, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 28 re-referred to the Committee on Ways and Means.

Assembly Bill No. 248 re-referred to the Committee on Municipal and County Government.

RECESS

At 11.30 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 121

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2485: By Mr. Rosenthal—An act to add Chapter 8, comprising Sections 170 to 176, inclusive, to Division 1 of the Labor Code, relating to the creation of the Advisory Council on Affairs of the Handicapped and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2486: By Mr. Rosenthal—An act to add Section 6369 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2487: By Mr. Rosenthal—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2488: By Mr. Rosenthal—An act to add Section 6405.5 to the Labor Code, relating to safety in employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2489: By Mr. Rosenthal—An act to add Chapter 2.5, comprising Sections 5350 to 5423, inclusive, to Division 3 of the Business and Professions Code, relating to the regulation and licensing of ambulance operators.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2490: By Mr. Conrad—An act to amend Section 370 of the Elections Code, relating to the index to affidavits of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2491: By Messrs. Rosenthal and Dolwig—An act to add Section 603a to, and to amend Section 601 of, the Code of Civil Procedure, relating to judicial proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2492: By Mr. Rosenthal—An act to amend Section 5047 of the Welfare and Institutions Code, relating to petitions for the examination of persons believed to be mentally ill, and providing for the exemption from liability of certain persons for filing such petitions.

Referred to Committee on Judiciary.

Assembly Bill No. 2493: By Mr. Babbage—An act to amend Section 3892 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Assembly Bill No. 2494: By Mr. Babbage—An act to amend Section 1832 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Assembly Bill No. 2495: By Mr. Babbage—An act to amend Section 7122 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Assembly Bill No. 2496: By Mr. Maloney—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2497: By Mr. Gubser—An act to add Chapter 2 to Division 8 of the Military and Veterans Code, relating to veterans' aid.

Referred to Committee on Military Affairs.

Assembly Bill No. 2498: By Messrs. Gubser and Kirkwood—An act to amend Section 1240 of the Code of Civil Procedure, relating to eminent domain and declaring the urgency thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2499: By Messrs. Gubser and Kirkwood—An act to amend Sections 1503, 1503.2, and 2533 of, and to add Section 1599.1 to, the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 2500: By Mr. Gubser (By Request)—An act to amend Section 1503 of the Labor Code, relating to the licensing of employment agencies

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2501: By Messrs. Dolwig and Geddes—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2502: By Messrs. Dolwig, and Geddes—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2503: By Mr. Dolwig—An act to amend Sec-Section 10203 of the Insurance Code, relating to group insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2504: By Mr. Dolwig—An act to amend Sections 5951 and 5952 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2505: By Mr. Dolwig—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sexual sterilization.

Referred to Committee on Judiciary.

Assembly Bill No. 2506: By Mr. Dolwig—An act to amend Section 29191 of the Government Code, relating to district budgets, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2507: By Mr. Dolwig—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2508: By Mr. Dolwig—An act to add Section 12a to the County Waterworks District Act, relating to the powers of the governing boards of county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2509: By Mr. Dolwig—An act to add Section 30.3 to the Public Utility District Act, relating to powers of public utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2510: By Messrs. Dolwig, Geddes, Rosenthal, and Sherwin—An act to amend Section 8510 of, and to add Section 8606 to, the Elections Code, relating to election contests.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2511: By Mr. Dolwig—An act to provide for the construction of grade separations, providing for the issuance of bonds therefor and making an appropriation for the payment thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2512: By Mr. Dolwig—An act to amend Section 2616 of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2513: By Mr. Dolwig—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 2514: By Mr. Dolwig—An act to develop public recreating, and providing the procedure for allocation of funds to cities, counties, cities and counties, recreation districts and school districts, creating the Recreation Fund and prescribing the powers and duties of the State Allocation Board, the Controller, and the Director of Finance under this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2515: By Mr. Rosenthal—An act to amend Section 2654 of the Labor Code, relating to industrial homework.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2516: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2517: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to add Section 2 6 to, and to amend Sections 3, and 15.3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, and to add Section 14203 to, and to amend Sections 14805, 14804, and 14254 of the Financial Code, relating to credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2518: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2519: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 23 of an act entitled "An act defining credit unions,

providing for their incorporation, powers, management and supervision," approved March 31, 1927, and Section 16000 of the Financial Code, relating to credit unions and the fees payable by them.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2520: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 14254 of the Financial Code, and Section 15.3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the issuance of a certificate to carry on business as a credit union.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2521: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 7 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, and Section 15150 of the Financial Code, relating to credit unions and their required reserves.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2522: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2523: By Mr. Levering—An act to amend Section 451 of the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2524: By Mr. Levering—An act to amend Section 457 of the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2525: By Messrs. Sherwin, Morris, Doyle, Chapel, Cloyed, Evans, Geddes, Gubser, Hahn, Hansen, Hawkins, Kirkwood, Lipscomb, McCarthy, Rosenthal, Stanley, and Thomas—An act to provide for a Commission for the Investigation and Study of State and Local Taxation, defining its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2526: By Messrs. Moss and Fleury—An act to amend Section 351 of the Municipal Utility District Act, relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2527: By Mr. Grant—An act to add Section 6060.6 to the Business and Professions Code, relating to admission to the practice of law.

Referred to Committee on Judiciary.

Assembly Bill No. 2528: By Mrs. Niehouse and Mr. Cloyed—An act to amend Sections 12512 and 12550 of the Water Code, pertaining to the Colorado River Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2529: By Mrs. Niehouse and Mr. Cloyed—An act to amend Section 11 and to add Section 11.1 to the County Water Authority Act, Chapter 545, Statutes of 1943 as amended, relating to county water authorities.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 35: By Messrs. Dolwig, Geddes, Rosenthal, and Sherwin—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 7 of Article IV, relating to the powers of each house of the Legislature in respect to its members.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 36: By Mr. Dolwig—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide for the construction of grade separations.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 37: By Messrs. McFall and Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16 of Article V thereof, relating to the order of succession to the office of Governor

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 172
Senate Bill No. 488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 52

Relative to the creation of the Assembly Interim Committee on Fire Hazards and Prevention

WHEREAS, The loss of life and damage to property resulting from disastrous fires and explosions in private dwellings, commercial buildings, and industrial properties continue to occur at a shocking rate; and

WHEREAS, Necessary up-to-date statutory safeguards can be enacted only if the Legislature is apprised of the latest information concerning the origins and causes of fires and the current fire prevention methods; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fire Hazards and Prevention is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution as expressed in the recitals thereof, including but not limited to facts concerning the origins, causes and methods of prevention of fires and explosions in hotels, apartment houses, manufacturing plants, and other buildings, establishments and facilities, and any proposed plans, methods or systems for fireproofing buildings, plants and property and combating or preventing the spread of fires, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Cloyed:

House Resolution No. 53

Relative to the eightieth birthday of the Honorable Charles W Stream

WHEREAS, The Honorable Charles W. Stream was first elected to this Assembly from the Eightieth Assembly District in 1932 and represented that district in this house for seven consecutive terms, and

WHEREAS, The Honorable Charles W. Stream brought to this Assembly a wide knowledge of practical affairs and a keen mind capable of penetrating into the heart of any proposal to discover its virtue or defects; and

WHEREAS, His never failing sense of humor and his ready wit endeared the Honorable Charles W. Stream to all of his colleagues, while his profound human wisdom, common sense and natural judgment so won their respect that he came to be called "the Sage of Chula Vista"; and

WHEREAS, The Honorable Charles W. Stream will on February 4th celebrate his eightieth birthday; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby sends its greetings to the Sage of Chula Vista, its best wishes for many more happy birthdays, and its hope that his well-earned retirement will be both pleasant and prolonged; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Honorable Charles W. Stream.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Davis:

House Resolution No. 54

Relative to Fred M Wolford, late Supervisor of Siskiyou County

WHEREAS, The Members of this Assembly have learned with great sorrow of the passing of Fred M Wolford, Supervisor of Siskiyou County; and

WHEREAS, Fred M. Wolford was the son of the late John M and Margaret C Wolford, pioneer settlers of Scott Valley; and

WHEREAS, Fred M. Wolford was born at the family ranch on the Etna-Callahan Road on May 17, 1886, grew to manhood in that district, and with his wife, Evelyn, made their home at the family ranch; and

WHEREAS, Fred M Wolford was a Director of the California Cattlemen's Association from his district for many years, and won the respect and admiration of his fellow citizens for his efforts in behalf of Siskiyou County as a supervisor, as a rancher, and as a citizen; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the passing of Fred M. Wolford and the loss to the people of Siskiyou County and of this State of his fine and devoted public service, and extend deepest sympathy to his widow, Mrs. Evelyn Wolford; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Evelyn Wolford.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 911 FROM COMMITTEE AND RE-REFER

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 911 be withdrawn from the Committee on Industrial Relations, and be re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 14

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 14, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

Assembly Concurrent Resolution No. 14—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes,

Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 20—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2530: By Messrs. Davis, Moss, and Evans—An act to add Section 94.7 to the Agricultural Code, relating to fairs and expositions.

Referred to Committee on Agriculture.

Assembly Bill No. 2531: By Mr. Davis—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2532: By Mr. Davis—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2533: By Messrs. Davis and Parker—An act to add Section 6907.5 to the Labor Code, relating to the operation of locomotives.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2534: By Messrs. Davis and Parker—An act to add Section 37.5 to the Public Utilities Act, relating to abandoning or decreasing service by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2535: By Messrs. Davis and Parker—An act to add Section 7001 to the Labor Code, prohibiting the use of certain types of cabooses, and providing penalties therefor.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2536: By Messrs. Davis and Parker—An act to add Section 6.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages on trains.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2537: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 204 of the Labor Code, relating to time of payment of wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2538: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 7000 of the Labor Code, relating to cabooses on trains.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2539: By Messrs. Davis, Lindsay, and Parker—An act to amend Sections 6901 and 6903 of the Labor Code, relating to train crews.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2540: By Messrs. Davis, Lindsay, and Parker—An act to add Section 6957 to the Labor Code, relating to railroad safety devices

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2541: By Messrs. Davis, Lindsay, and Parker—An act to add Section 37.5 to the Public Utilities Act, relating to abandoning or decreasing service by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2542: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 2¾ of the Public Utilities Act and to amend Section 213 of, and to repeal Section 215 of, the Public Utilities Code, relating to highway common carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2543: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 1 of the Highway Carriers' Act and to amend Section 3517 of, and to repeal Section 3516 of, the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2544: By Messrs. McCarthy, and Lincoln—An act making an appropriation to the Regents of the University of California for the augmentation and expansion of the teaching program of the Colleges of Engineering in the field of construction engineering.

Referred to Committee on Education.

Assembly Bill No. 2545: By Mr. Porter—An act to amend Section 736.10 of the Agricultural Code, relating to minimum wholesale and retail prices for fluid milk and fluid cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2546: By Mr. Porter—An act to amend Section 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream

Referred to Committee on Agriculture.

Assembly Bill No. 2547: By Messrs. Hagen and Hansen—An act to add Division 3.5 to the Labor Code, creating the California Agricultural Labor Resources Board, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2548: By Messrs. Hansen and Hagen—An act to amend Section 19150 of, and to add Section 19150.5 to, the Health and Safety Code, relating to the protection of buildings against earthquakes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2549: By Mr. Smith—An act to add Section 7644 to and to amend Section 7643 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2550: By Mr. Smith—An act to add Section 7634 to and to amend Section 7617 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2551: By Mr. Smith—An act to add Sections 7625.1 and 7708 to and to amend Sections 7606 and 7625 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2552: By Mr. Smith—An act to add Sections 7633 and 7720 and to amend Section 7616 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2553: By Mr. Dolwig—An act to add Section 4742 5 to the Health and Safety Code, relating to the powers of a county sanitation district, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2554: By Mr. Dolwig—An act to add Section 29.1 to an act entitled "An act to provide for the formation, government and control of overflow districts," approved May 1, 1911, relating to powers of the board of trustees of overflow districts, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2555: By Mr. Dolwig—An act to add Section 5473 to the Health and Safety Code, relating to surveys for sanitary sewerage and storm drainage works and improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2556: By Mr. Levering—An act to amend Sections 1503 and 1511 of, to add Sections 1501 5, 1511.5, 1520.2, 1521.3, 1521 6, 1524.5, 1527 5, 1530, and 1550 5 to, and to repeal Section 1507 of, the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2557: By Mr. Levering—An act making an appropriation to the Contingency Fund of the Board of Medical Examiners relating to the Physical Therapists Practice Act

Referred to Committee on Public Health.

Assembly Bill No. 2558: By Mr. Levering—An act to add Section 2509 to the Welfare and Institutions Code, relating to relief and aid administered by the counties.

Referred to Committee on Social Welfare.

Assembly Bill No. 2559: By Mr. Levering—An act to add Section 110.5 to the Welfare and Institutions Code, relating to the annual budgets and expenditures of the State Department of Social Welfare.

Referred to Committee on Social Welfare

Assembly Bill No. 2560: By Mr. Levering—An act to amend Section 451 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2561: By Mr. Levering—An act to add Section 459.1 to the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2562: By Mr Levering—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2563: By Mr. Levering—An act to amend Sections 205 and 252 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2564: By Mr. Levering—An act to amend Section 10270 of the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2565: By Mr. Levering—An act to add Section 209.1 to the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2566: By Messrs. Lipscomb and Fleury—An act to add Section 18860 to the Government Code, relating to compensation of auditors employed in state service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2567: By Mr. Lipscomb—An act to add Section 30 to the Education Code, relating to the definition of the words "certificated employee" as used in said code

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2568: By Mr Lipscomb—An act to amend Section 14495.2 of the Education Code, relating to contributions by the State to the retirement of certificated employees in the Armed Forces

Referred to Committee on Military Affairs.

Assembly Bill No. 2569: By Mr. Lipscomb—An act to add Section 13657 to the Education Code, relating to the rights of certificated employees.

Referred to Committee on Education

Assembly Bill No. 2570: By Mr. Lipscomb—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees

Referred to Committee on Education.

Assembly Bill No. 2571: By Mr. Lipscomb—An act to amend Sections 13204.1 and 14495.1 of the Education Code, relating to certificated employees in military service.

Referred to Committee on Education.

Assembly Bill No. 2572: By Mr. McFall—An act to amend Section 737 of the Motor Vehicle Code, relating to procedure after arrest for a violation of said code

Referred to Committee on Judiciary.

Assembly Bill No. 2573: By Mr. McFall—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2574: By Mr. McFall—An act to amend Section 21658 of the Water Code, relating to nominating petitions, their form and time for filing for elections in irrigation districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2575: By Mr. McFall—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2576: By Mr. McFall—An act to amend Section 20045 of, and to add Section 20045.1 to, the Water Code, relating to certification of bond issues.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2577: By Mr. McFall—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2578: By Mr. McFall—An act to amend Section 1359 of the Banking Code, relating to investment of funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2579: By Mr. McFall—An act to amend Section 723 of the Fish and Game Code, relating to catfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2580: By Messrs. McFall and Brown—An act to add Section 1585 to the Military and Veterans Code, relating to emergency suspension of the Statute of Limitations and extension of the time for doing acts required by law or contract.

Referred to Committee on Judiciary.

Assembly Bill No. 2581: By Messrs. McFall and Brown—An act to amend Section 4 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906 (Chapter 59, Statutes of 1906 First Extraordinary Session), relating to the establishment and quieting of title to real property in case of the loss or destruction of public records.

Referred to Committee on Judiciary.

Assembly Bill No. 2582: By Messrs. McFall and Brown—An act to amend Section 50111 of the Government Code, relating to damaged records and documents.

Referred to Committee on Judiciary.

Assembly Bill No. 2583: By Messrs. McFall and Brown—An act to add Chapter 15 to the Code of Civil Procedure, relating to war emergency adjustment proceedings and individual moratorium orders.

Referred to Committee on Judiciary.

Assembly Bill No. 2584: By Messrs. McFall and Brown—An act to amend the title and Sections 1, 2, and 3 of an act entitled "An act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity," approved June 16, 1906 (Chapter 55, Statutes of 1906 First Extraordinary Session), relating to restoration of court records.

Referred to Committee on Judiciary.

Assembly Bill No. 2585: By Messrs. McFall and Brown—An act to amend the title and Section 1 of an act entitled "An act providing for the disposition of actions and proceedings in which bills of exceptions and statements on motion for a new trial have been lost or destroyed by conflagration or other public calamity," approved March 23, 1907 (Chapter 537, Statutes of 1907), relating to lost or destroyed court records.

Referred to Committee on Judiciary.

Assembly Bill No. 2586: By Mr. Rosenthal—An act to amend Section 817 of the Penal Code, relating to the definition of peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 2587: By Mr. Rosenthal—An act to add Section 3333.5 to the Civil Code, relating to the diminution or apportionment of damages and the defense of contributory negligence.

Referred to Committee on Judiciary.

Assembly Bill No. 2588: By Mr. Rosenthal—An act to add Section 1714.1 to the Civil Code, relating to contributory negligence.

Referred to Committee on Judiciary.

Assembly Bill No. 2589: By Mr. Lincoln—An act to amend Sections 1075 and 2006 of the Streets and Highways Code, relating to the methods of performing highway and primary road work by counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2590: By Mr. Evans—An act making an appropriation to assist in defraying the expenses of a public nature incident to the holding of the National Convention of the Veterans of Foreign Wars in Los Angeles in 1952.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2591: By Mr. Evans—An act to add Sections 7432 and 7433 to the Business and Professions Code, relating to regulation of the practice of cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 2592: By Mr. Evans—An act to amend Sections 1, 3, 7, and 14½ of, to add Section 3¼ to, and to repeal Section 14¾ of, the Highway Carriers' Act, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2593: By Mr. Evans—An act to repeal an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporation, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, and to repeal Sections 5001 to 5011, inclusive, of the Public Utilities Code, relating to the fees payable by persons and corporations under the jurisdiction of the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2594: By Mr. Waters—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2595: By Messrs. Waters, Rosenthal, Beck, Maloney, McCarthy, and Sherwin—An act to amend Section 13002 of the Government Code, relating to the salary of the Director of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2596: By Messrs. Waters, Rosenthal, Beck, Maloney, McCarthy, and Sherwin—An act to amend Section 14002 of the Government Code, relating to the salary of the Director of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2597: By Messrs. Waters and Rosenthal—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Referred to Committee on Judiciary.

Assembly Bill No. 2598: By Mr. Waters—An act to add Section 2058 to the Banking Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2599: By Mr. Stewart—An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2600: By Mr Lipscomb—An act to amend the heading of Part 2, Division 13, to amend Sections 18109, 18200, 18302, 18303 and to add 18300.1, 18300.5, 18301 5, 18302.6 and to repeal Sections 18300 and 18301 of Part 2, Division 13 of the State Housing Code, relating to auto courts and motels.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2601: By Mr. Cooke—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2602: By Mr. George D. Collins—An act to add Section 789.1 to the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 2603: By Messrs. George D. Collins and McCarthy—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to veterans' farm and home purchases

Referred to Committee on Military Affairs.

Assembly Bill No. 2604: By Mr. George D. Collins—An act to add Section 4652 to the Elections Code, relating to campaign expenditures for a candidate without authorization.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2605: By Messrs. George D. Collins, Hagen, Brown, Caldecott, Babbage, Berry, Brady, Coats, Condon, Connolly, Crowley, Dickey, Dolwig, Fleury, Gaffney, Grunsky, McCarthy, McFall, McGee, McMillan, Munnell, Rosenthal, Sherwin, Smith, Tomlinson, and Waters—An act to amend Section 758 of the Political Code and Section 61.6 of the Code of Civil Procedure, relating to salaries of the clerks of each of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2606: By Messrs. George D. Collins and Coats—An act to add Section 5005.5 to the Elections Code, relating to election campaigns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2607: By Messrs. George D. Collins, Gaffney, Brady, Berry, and Maloney—An act to amend Section 690 of the Elections Code, relating to compensation of members of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2608: By Mr. George D. Collins—An act to safeguard the tenure of teachers, the job security of other public employees, and the business and professional security of public licensees, registrants, or certificated persons.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT 500 ADDITIONAL COPIES OF ASSEMBLY BILL NO. 2386 BE PRINTED

Mr. Geddes asked for, and was granted, unanimous consent that 500 additional copies of Assembly Bill No. 2386 be ordered printed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 14

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 12—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bellotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 18

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 18, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18

Senate Concurrent Resolution No. 18—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2609: By Mr. George D. Collins—An act relating to the tenure of teachers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2610: By Mr. George D. Collins—An act requiring public employees to take the constitutional oath.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2611: By Mr. George D. Collins—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein.

Referred to Committee on Judiciary.

Assembly Bill No. 2612: By Mr Levering—An act to amend Section 11870 of the Insurance Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2613: By Mr Connolly—An act to amend Section 5710 of the Health and Safety Code, relating to joint municipal sewage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2614: By Mr. Connolly—An act to amend Section 5790.20 of the Health and Safety Code, relating to joint municipal sewage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2615: By Mr. Connolly—An act to add Chapter 9, comprising Sections 5700 to 5830.08, inclusive, to Part 3, Division 5 of the Health and Safety Code and to repeal the Joint Municipal Sewage Disposal District Act (Chapter 322 of the Statutes of 1941), relating to the organization, government, and powers of joint municipal sewerage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2616: By Messrs. Chapel, Levering, Lanterman, Grant, Belotti, Hagen, McGee, Morris, Smith, and Stanley—An act to add Chapter 7, comprising Sections 12901 to 12906, inclusive, to Division 7 of the Education Code, relating to the loyalty of public school superintendents, teachers, and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2617: By Mr. Condon—An act to amend Section 53647 of the Government Code, relating to payment of interest into general fund of local agency.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2618: By Mr. Davis—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2619: By Messrs. Stanley, Brown, Waters, Chapel, Hinckley, and McMillan—An act to amend Section 26020 of the Government Code, relating to the financing of airports by counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2620: By Mr. Stanley—An act to amend Section 27289 of the Government Code, relating to the recording of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 2621: By Mr. Stanley—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2622: By Mr. Stanley—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2623: By Mr. Davis—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 2624: By Messrs. Caldecott, Rosenthal, Tomlinson, Moss, and Grunsky—An act to add Section 736d to the Political Code and Section 78.2 to the Code of Civil Procedure and to repeal Sections 737a to 737fff, inclusive, of the Political Code and Section 79.1 to

79.58, inclusive, of the Code of Civil Procedure, relating to superior courts and the judges thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2625: By Messrs. Caldecott, Rosenthal, Tomlinson, and Moss—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2626: By Messrs. Caldecott, Rosenthal, Tomlinson, and Moss—An act to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure, relating to judges of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 2627: By Mr. Caldecott—An act to add Section 6f to the Municipal Court Act of 1925, relating to the judges of the municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2628: By Mr. Caldecott—An act to add Chapter 10.5 to Part 3, Division 2, Title 3 of the Government Code, relating to the county medical examiner.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2629: By Messrs. Caldecott and Sherwin—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130.1 and 130.2 to said code, relating to joint highway districts and the construction of state highways.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2630: By Mr. Caldecott—An act making an appropriation to the Vocational Education Fund for peace officers' training program and reserve and/or auxiliary peace officers' training, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2631: By Mr. Caldecott—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2632: By Messrs. Waters and Tomlinson—An act to amend Section 7207 of the Elections Code, relating to disposition of supplies by the county clerk.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2633: By Messrs. Waters and Tomlinson—An act to amend Section 5503 of the Elections Code, relating to material furnished to polls.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2634: By Messrs. Waters and Tomlinson—An act to amend Section 5553 of the Elections Code, relating to preliminary procedure at the polls.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2635: By Messrs. Waters and Tomlinson—An act to amend Section 5809 of the Elections Code, relating to voting at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2636: By Messrs. Waters and Tomlinson—An act to amend Section 7101, and to repeal Section 7102, of the Elections Code, relating to return of supplies to the county clerk.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2637: By Messrs. Burke, Geddes, Hahn, and Morris—An act to add Section 2186.2 to the Welfare and Institutions Code, relating to the costs of administration of aid to the aged, aid to needy blind, aid to needy children, and aid to the partially self-supporting blind and making an appropriation therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2638: By Mr. Maloney—An act to add Section 7001.1 to the Business and Professions Code, dealing with the administration of the Contractors' State License Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2639: By Mr. Maloney—An act to add Chapter 4 to Division 3 of the Labor Code consisting of Sections 3092, 3093, 3094, 3095, 3096, and 3097, dealing with certification of welders.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2640: By Mr. Evans—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2641: By Messrs. Stanley, Brown, Waters, Chapel, Hinckley, and McMillan—An act to add Section 4.5 to the "State Aeronautics Commission Act," relating to the powers and duties of the commission with respect to civil defense.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2642: By Messrs. Geddes, Doyle, Burke, Collier, and Erwin—An act to amend Section 1463 of the Penal Code, and to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker Sam L. Collins announced, on behalf of Mr. Stanley, a breakfast meeting and Republican Caucus, tomorrow morning, Tuesday, January 23d, at 7.30 a.m., at the Hotel Sacramento.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

CALIFORNIA LEGISLATURE, ASSEMBLY, January 22, 1951

The Honorable Speaker and
Members of the Assembly
California Legislature
Sacramento 14, California

GENTLEMEN: As Chairman of the Subcommittee appointed by Assemblyman Jonathan Hollibaugh for the purpose of studying the Borough System of Government of Metropolitan Areas, as directed by House Resolution No. 23 of the 1950 Budget Session which was passed and adopted by the Assembly on March 20, 1950, I am submitting herewith a progress report on the subject matter prescribed by said resolution.

I trust that the report will be of great value and interest to you and will be helpful in answering many of the complex questions dealing with the Borough System of Government.

Respectfully submitted,

VINCENT THOMAS, Chairman
Assembly Subcommittee of the
Assembly Interim Committee on
State and Local Taxation

Above mentioned report has been previously printed, and is available to members.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 55

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly,

Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2643: By Messrs. Lanterman and Stanley (By Request)—An act to repeal Section 5501 and to amend Sections 5536 and 5537 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2644: By Messrs. Lanterman and Stanley (By Request)—An act to add Section 6743 to the Business and Professions Code, relating to the practice of civil engineering.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2645: By Mr. Hollibaugh (By Request)—An act to add Section 4807 to the Revenue and Taxation Code, relating to cancellation and refund of taxes on certain personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2646: By Mr. Grunsky—An act to amend Section 7013 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Judiciary.

Assembly Bill No. 2647: By Mr. Grunsky—An act to amend Sections 963 and 983 of the Code of Civil Procedure, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2648: By Mr. Grunsky—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader.

Referred to Committee on Judiciary.

Assembly Bill No. 2649: By Mr. Grunsky—An act to amend Section 55 of the Unemployment Insurance Act, relating to benefit payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2650: By Mr. Grunsky—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2651: By Mr. Grunsky—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2652: By Mr. Grunsky—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2653: By Mr. Grunsky—An act to add Section 58(e) to the Unemployment Insurance Act, relating to disqualification.

Referred to Committee on Finance and Insurance

Assembly Bill No. 2654: By Mr. Grunsky—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2655: By Mr. Grunsky—An act to add Section 57.6 to the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2656: By Mr. Grunsky—An act to add Section 310 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2657: By Mr. Grunsky—An act to amend Section 2261 of the Civil Code, relating to the investment of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 2658: By Mr. Morris (By Request)—An act to amend Sections 9606, 9607, 9625, 9626, 9652, 9655, 9656, 9683, 9767, 9768, 10055, to add Sections 9659, 9660, 9661, 9662, 9663, 9664, 9665, 9666, 9667, 9668, 9669, and to repeal Sections 9716, 10074 and Article 2, Chapter 2, Part 3, Division 8 of the Business and Professions Code of the State of California, relating to private cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 2659: By Messrs. Berry and Gaffney—An act to add Section 7065.1 to the Business and Professions Code, dealing with licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2660: By Mr. Erwin—An act to amend Sections 787.5, 795, 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to marking of fruit, nut, and vegetable containers and to citrus fruit standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 2661: By Messrs. Gaffney and George D. Collins—An act to add Sections 414.5 and 423.5 to the Vehicle Code, relating to financial security following accidents or judgments.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 56

Relative to the augmentation of funds of the Assembly Interim Committee on Public Utilities and Corporations

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 264, 1949 Regular Session), the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 10

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 10, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly committees and committee meetings.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, lines 6 and 7, of the printed measure, as amended in the Senate on January 11, 1951, strike out "committees and committee meetings".

Amendment No. 2

On page 4, line 12, of said measure, after "Assembly ", insert "Except as otherwise provided by either the Assembly or Senate,".

Amendment No. 3

On page 4, line 12, of said measure, strike out "Each", and insert "each".

Amendment No. 4

On page 4, line 14, of said measure, strike out "libraries, chambers of commerce", and insert "organizations".

Amendment No. 5

On page 11 of said measure, strike out all of lines 4 through 11, inclusive.

Amendment No. 6

On page 12, line 21, of said measure, after "rate of", strike out "seven cents ($0.07)", and insert "ten cents ($0.10)".

Amendment No. 7

On page 13, line 12, of said measure, after "House", insert "or committee".

Amendment No. 8

On page 13, line 18, of said measure, after "generally", insert ", provided that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing".

Amendment No. 9

On page 13, of said measure, after line 46, insert

"Any vacancies occurring between general sessions, in the Assembly membership of the Legislature Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election."

Amendment No. 10

On page 16, of said measure, between lines 15 and 16, insert

"Joint Committee on Interhouse Cooperation".

Amendment No. 11

On page 16, line 16, of said measure, strike out "in", and insert "on".

Amendment No. 12

On page 16, line 4, of said measure, insert

"37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "clerk" or "secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the Joint Rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee."

Amendments read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 13

In Senate Concurrent Resolution No. 10, as amended in the Senate on January 11, 1951, on page 4, line 22, strike out "seventy-five dollars ($75)", and insert "one hundred fifty dollars ($150)".

Amendment No. 14

In Senate Concurrent Resolution No. 10, as amended in the Senate on January 11, 1951, on page 11, after line 11, insert

"Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members."

Amendment No. 15

In Senate Concurrent Resolution No. 10, as amended in the Senate on January 11, 1951, on page 9, line 29, strike out "94", and insert "24".

Amendments read, and adopted.

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, as amended, at this time, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 10, as Amended

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly.

Resolution read as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered reprinted, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 16

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent to Take Up Assembly Concurrent Resolution No. 16

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 16, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16

Assembly Concurrent Resolution No. 16—Relative to extending good wishes for a speedy recovery to Ida R. Koverman.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Colher, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 37

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 37, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 37

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one complete set of the code to each Member of the Assembly, and one complete set of the code to the Chief Clerk of the Assembly

Resolution read.

Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

In House Resolution No 37, as printed on page 462 of the Assembly Journal for January 15, 1951, strike out the two "resolved" clauses, and insert

"*Resolved by the Assembly of the State of California*, That each Member of the Assembly may request in writing to the Legislative Process Committee of the Assembly the purchase of not more than four titles of the California Administrative Code.

Resolved further, That the Legislative Process Committee of the Assembly be and it is hereby directed to purchase and deliver to each Member of the Assembly the titles of the California Administrative Code requested, and to purchase and deliver, as published, the register and inserts necessary to keep those titles up to date for a period of one year, as provided herein."

Amendment read, and adopted.

Consideration of House Resolution No. 37, as Amended

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That each Member of the Assembly may request in writing to the Legislative Process Committee of the Assembly the purchase of not more than four titles of the California Administrative Code.

Resolved further, That the Legislative Process Committee of the Assembly be and it is hereby directed to purchase and deliver to each Member of the Assembly the titles of the California Administrative Code requested, and to purchase and deliver, as published, the register and inserts necessary to keep those titles up to date for a period of one year, as provided herein

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 20

Senate Concurrent Resolution No. 20—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans and Lyon:

House Resolution No. 57

Relative to the retirement of Senator Swing

WHEREAS, After 27 years of distinguished service in the Senate, Senator Ralph E. Swing has retired from service with the Legislature; and

WHEREAS, Senator Swing has devoted much of his life in service to the people of San Bernardino County and to the State of California; and

WHEREAS, The Members of the Legislature and the people of the State have profited greatly by Senator Swing's keen insight of legislative problems; and

WHEREAS, Senator Swing has long been recognized as one of the ablest leaders in the Legislature; and

WHEREAS, The Members of the Legislature have learned to respect Senator Swing as an able statesman and a true friend; and

WHEREAS, The Members of the Legislature will sorely miss their able colleague; now, therefore, be it

Resolved by the Assembly of the State of California, That Honorable Ralph E. Swing be commended for the contribution that he has made to the people of the State of California and be extended the best wishes of the Members of the Assembly with the sincere hope that he will enjoy health and happiness in the years to come; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably prepared copy of this resolution to Honorable Ralph E. Swing.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2662: By Messrs. Lincoln, Collier, Morris, and Condon—An act to repeal Article 19 of, and to add Articles 19, 20, and 21 to, the Community Redevelopment Act, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2663: By Mr. Chapel—An act to amend Section 515 of the Vehicle Code, relating to speed limits per vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2664: By Mr. Connolly—An act to amend Sections 3017 and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2665: By Mr. Connolly—An act to amend Section 5699 of the Elections Code, relating to casting of ballots

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2666: By Mr. Connolly—An act to add Section 26.5 to the Penal Code, relating to the insanity of an accused.

Referred to Committee on Judiciary.

Assembly Bill No. 2667: By Mr. Connolly—An act to amend Sections 5301 and 5312 of the Labor Code, and to repeal Sections 5313, 5314, and 5315 thereof, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2668: By Mr. Connolly—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 2669: By Mr. Connolly—An act to amend Section 17502 of the Business and Professions Code, relating to false advertising offenses and exceptions therefrom.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2670: By Mr. Connolly—An act to amend Sections 115, 5301, 5310, 5313, 5709, 5800, 5900, 5903, and 5906 of, to add Section 5800.1 to, and to repeal Sections 5309, 5314, 5315, and 5800.5 of, the Labor Code, relating to the Industrial Accident Commission, its powers and proceedings.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2671: By Mr. Connolly—An act to add Section 29 to the Revenue and Taxation Code, relating to tax compromises.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2672: By Mr. Connolly—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Referred to Committee on Public Health.

Assembly Bill No. 2673: By Mr. Connolly—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 2674: By Mr. Connolly—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery.

Referred to Committee on Public Health.

Assembly Bill No. 2675: By Mr. Connolly—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualification for admittance to examination.

Referred to Committee on Public Health.

Assembly Bill No. 2676: By Mr. Connolly—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code.

Referred to Committee on Public Health.

Assembly Bill No. 2677: By Mr. Connolly—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 2678: By Mr. Connolly—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 2679: By Mr. Connolly—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 2680: By Mr. Connolly—An act to amend Section 737.11 of the Agricultural Code and to add paragraph (b) to Section 737.11 of said code, relating to the purchase of fluid milk and fluid cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2681: By Mr. Connolly—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Referred to Committee on Agriculture.

Assembly Bill No. 2682: By Messrs. Burkhalter, Elliott, and Kilpatrick—An act to add Chapter 13 to Division 3 of the Business and Professions Code, relating to the regulation of off-street parking.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2683: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act to provide for the regulation of off-street parking.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2684: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act to provide for the regulation of operators of parking lots.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2685: By Messrs. Burkhalter, Elliott, and Grant—An act to limit fire hazards at lots operated for parking of automobiles and to require attendants at such lots during hours of operation.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2686: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act to add Section 12215 to the Business and Professions Code, relating to county sealers of weights and measures.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2687: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act relating to the regulation of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2688: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act relating to the operation of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2689: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act relating to the charges of operators of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2690: By Mr. Connolly—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2691: By Mr. Crowley—An act to amend Section 705 of the Motor Vehicle Code, relating to load restrictions.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2692: By Messrs. Lindsay and Hansen—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses.

Referred to Committee on Fish and Game

Assembly Bill No. 2693: By Messrs. Geddes, Doyle, Morris, Levering, Beck, Dolwig, and Lipscomb—An act to add Section 435 to the Penal Code, relating to health insurance.

Referred to Committee on Judiciary.

Assembly Bill No. 2694: By Mr. Connolly—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct.

Referred to Committee on Public Health.

Assembly Bill No. 2695: By Mr. Collier—An act to add Section 118.1 to the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2696: By Mr. Crowley—An act making an appropriation to the State Department of Education for major construction, improvement, and repair, California School for the Deaf.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 38: By Messrs. Lincoln, Collier, Morris, and Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XVI thereof a new section to be numbered 16, relating to the issuance of bonds to provide loans to counties, cities and counties and cities planning or participating in community redevelopment.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2697: By Messrs. Gaffney and Maloney—An act to add Section 18652 to the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2698: By Mr. Crowley—An act to add Section 20778 to the Education Code, relating to the California School for the Deaf, in respect to the position of field agent and family counselor.

Referred to Committee on Education.

Assembly Bill No. 2699: By Mr. Crowley—An act to add Section 20776 to the Education Code, relating to the California School for the Deaf, in respect to the position of clinical psychologist.

Referred to Committee on Education.

Assembly Bill No. 2700: By Mr. Crowley—An act to add Section 20777 to the Education Code, relating to the California School for the Deaf, in respect to the position of supervisor of physical education.

Referred to Committee on Education.

Assembly Bill No. 2701: By Mr. Crowley—An act to add Section 20775 to the Education Code, relating to the California School for the Deaf, in respect to the establishment of a clinic and training course for parents and their deaf children.

Referred to Committee on Education

Assembly Bill No. 2702: By Messrs. Rumford and Lincoln—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2703: By Messrs. Rumford, Lincoln, and Dunn—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2704: By Messrs. Fleury and Moss—An act to add Section 30 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair, and maintenance and the assessment of property benefited by those works.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2705: By Messrs. Fleury and Moss—An act to amend Section 6103.5 of the Government Code, relating to filing fees.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 8
Assembly Joint Resolution No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. McGee asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 8, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 8

Assembly Joint Resolution No. 8—Relative to a moratorium on federal income tax payments for persons in the Armed Forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—Cooke and Grunsky—2.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2706: By Messrs. Dickey, Doyle, Crowley, McCollister, Dolwig, Silliman, and Smith—An act to add Section 17.1 to the State Water Resources Act of 1945, authorizing the State Water Resources Board to contract with public and private organizations and persons for research work relative to the production and control of rainfall by artificial means, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2707: By Mr. Dickey—An act to add Section 11011 to the Government Code, relating to agreements between state agencies and the United States.

Referred to Committee on Public Health.

Assembly Bill No. 2708: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to add Section 2356 to the Labor Code, relating to air pollution.

Referred to Committee on Public Health.

Assembly Bill No. 2709: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, and Silliman—An act to add Section 24268.5 to the Health and Safety Code, relating to air pollution control districts.

Referred to Committee on Public Health.

Assembly Bill No. 2710: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to add Article 2.5, comprising Sections 24236, 24237, and 24238 to Chapter 2, Division 20 of the Health and Safety Code, relating to an Advisory Committee for Air Pollution Control Districts.

Referred to Committee on Public Health.

Assembly Bill No. 2711: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to amend Section 24269 of the Health and Safety Code, relating to reports to air pollution control officers.

Referred to Committee on Public Health.

Assembly Bill No. 2712: By Mr Dickey—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Referred to Committee on Public Health.

Assembly Bill No. 2713: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to add Chapter 1.5 to Division 20 of the Health and Safety Code, relating to air pollution.

Referred to Committee on Public Health

Assembly Bill No. 2714: By Mr. Connolly—An act to amend Section 17026 of the Business and Professions Code, relating to the definition of "cost" as defined in the Unfair Trade Practices Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2715: By Mr. Sherwin—An act to provide for the reimbursement of State Employees' Retirement System contributions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2716: By Mr. Sherwin—An act to add Section 19629 to the Business and Professions Code, relating to allocation of revenues received from horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2717: By Mr. Sherwin—An act to add Section 6515 to the Welfare and Institutions Code, relating to purchase of oleomargarine for state institutions.

Referred to Committee on Agriculture.

Assembly Bill No. 2718: By Mr. Sherwin—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 2719: By Messrs. Burkhalter, Elliott, and Kilpatrick—An act to regulate the parking of vehicles by the operators of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2720: By Mr. Burkhalter—An act to add Section 8 to "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," (Statutes of 1945, Chapter 85), relating to the burning of slashings after logging operations.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2721: By Mr. Burkhalter—An act to add Section 9 to "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," (Statutes of 1945, Chapter 85), relating to reforestation of cut-over lands.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2722: By Messrs. Rosenthal and Brown—An act to add Sections 36.3 and 36.6 to the Municipal and Justice Court Act of 1949, relating to judges of justice courts.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 53
House Resolution No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gaffney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 10, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 10

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941.

Resolution read.

Request for Unanimous Consent to Rescind Action on Assembly Joint Resolution No. 10

Mr. Kirkwood asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, granted unanimous consent to consider Assembly Joint Resolution No. 10.

Assembly Joint Resolution No. 10 ordered placed on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 440	Assembly Bill No. 573
Assembly Bill No. 559	Assembly Bill No. 577

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 22: By Mr. Erwin—Relative to Mrs. Edna May Butters and Assemblyman George R. Butters.

Request for Unanimous Consent

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

Assembly Concurrent Resolution No. 22—Relative to Mrs. Edna May Butters and Assemblyman George R. Butters.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 22 as Co-authors

Mr. Doyle asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 22, as co-authors.

The roll was called, and the following responded when their names were called:

YEA—Babbage, Beck Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Assembly Concurrent Resolution No. 22: By Messrs. Erwin, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn,

Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Sam L. Collins—Relative to Mrs. Edna May Butters and Assemblyman George R. Butters.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. Thomas arose to a question of personal privilege.

ANNOUNCEMENTS

Mr. Maloney announced that he had received a letter from the father of "Red" Irwin, a former Assembly Page boy who is in Oak Knoll Hospital in Oakland, a victim of amputations in the Korean War. Said letter expressed appreciation, on behalf of "Red," for the good wishes recently extended to him by Members of the Assembly.

Mr. Dunn, who recently visited Charles Irwin in the hospital, gave a progress report on his condition.

Speaker Sam L. Collins announced the hope that all members, whenever in the vicinity of Oak Knoll Hospital, will visit Charles Irwin and give him needed encouragement.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2723: By Messrs. McFall and Brown—An act to amend Sections 1186 and 1191 of, and to add Sections 1186.1 and 1186.2, the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 2724: By Mr. Brown—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301 5, 3301 6, 3301 7, 3301 8, 6403 5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 327	Assembly Bill No. 332
Assembly Bill No. 329	Assembly Bill No. 335

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 327—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance.

Amendment No. 1

On page 1, line 10, of the printed bill, after "act", insert "without a license from the commissioner".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 329—An act to amend Section 20.1 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 10, of the printed bill, after the first "act", insert "without a license from the commissioner".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 332—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, after "act", insert "without a license from the commissioner".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "60", and insert "30".

Amendment No. 3

On page 1, line 16, of the printed bill, after "division", insert "without a license from the commissioner".

Amendment No. 4

On page 1, line 21, of the printed bill, strike out "60", and insert "30".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 335—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert: "If, after such an order is made, a request for a hearing is filed in writing and no hearing is held within 30 days thereafter, such order shall be deemed to have been rescinded."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Agriculture (Subcommittee). Subject: Fair Bills, in Room 426.
Public Utilities and Corporations, in Room 432.
Ways and Means.

Tomorrow, Tuesday, January 23d, at 9.30 a.m.—

Rules, in Room 319.

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTION
ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, January 22, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Sacramento, California

HONORABLE SIR: Pursuant to House Resolution No. 243 of the 1949 Regular Session and House Resolution No. 28 of the 1951 Regular Session, regularly adopted, we, the undersigned members of the Assembly Interim Committee on Crime and Correction respectfully submit the accompanying preliminary report

This report deals with ways and means of providing economies in operation and expansion of our prison plant, and to more fully provide for the constant increase in our prison population.

Our capital outlay for prison facilities annually is a heavy burden upon the General Fund of our State Treasury, yet only a portion of the need is met.

It is believed that with more judicious use of prison labor, millions of dollars could be saved, or over-crowding and other anti-social conditions could be eliminated within present appropriations, in addition to work rehabilitation qualities so much desired.

Very truly yours,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice Chairman
KATHRYN T. NIEHOUSE
HARLAN HAGEN
CHARLES W. MEYERS

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTION

Relative to

WORK OPPORTUNITIES FOR PRISON INMATES

Adhering to the two-fold desire for economy and provision for further rehabilitation projects for our prison inmates, your committee has pursued diligently the subject of prison construction from the use of adobe and salvaging of waste materials. We believe the following information is worthy of your earnest consideration.

The problem of additional and useful work opportunities for the men and women confined in correctional institutions has many ramifications, and is subject to several special limitations. Work opportunities which are suitable for people in such surroundings must be adapted to the skills or lack of skills of the persons within these institutions, or must require only skills which can be easily taught with the institution's facilities. In the second place, such work opportunities must, of necessity, utilize inexpensive and easily available raw materials. In the third place, work opportunities should result in products which can be consumed within the institutions where they are produced or by other state or public institutions, or which are not highly competitive commercially and, consequently, do not represent any distribution or marketing problem. In the fourth place, work opportunities for institutionalized persons must be of such a nature that they do not require expensive capital outlays in tools, machinery, or in stocks of materials or in expensive housing and storage facilities. These requirements, of course, sharply reduce the number of practical opportunities which can be discovered. However, a very considerable number remain. A few of them are already being utilized by state correctional institutions in various degrees.

It is not out of place in this study to repeatedly point out the importance of employment to persons confined in various state institutions and to point out the benefits which accrue to the State in keeping such persons employed. It must constantly be kept in mind that the benefits of employment to the institution in the form of savings in the costs of institutional operation are of secondary importance to the institution and to the State as a whole.

The primary value of work opportunities for persons in correctional institutions is in its contribution to the rehabilitation of the individual who, in a great number of instances, will be released from the institutions at some future date. Useful work increases the skills and well-being of the inmates. It gives them opportunities to earn a stake of value to them at the time of their release or to assist in the support of their dependents, and it sharply reduces the chances of their being recommitted to the institution or to another institution at a future date. Every dollar spent in accomplishing rehabilitation saves many dollars in later police and court costs.

WORK OPPORTUNITIES IN THE FIELD OF CONSTRUCTION

Our correctional institutions are constantly expanding and in need of expansion to keep pace with California's rapid growth in population. Consequently, they are all in need of a comprehensive long-range building program. Present figures indicate that five years from now the population of our correctional institutions will have increased about 20 percent. More than 40 percent of the present population is housed in temporary or emergency structures. Basic to the development of long-range master plans must be a program which aims to exploit all of the resources of the institutions for work opportunity contributing to rehabilitation. Fairly complete plot plans of our correctional institutions showing the location of present and future buildings are already in existance. These are excellent as far as they go, but they need to be integrated into other prison programs with administration and with rehabilitation. A long-range master plan is basically a study of all of the opportunities that affect the active administration of the institutions and of the rehabilitation of the persons confined therein. This implies that the architectural construction program must be integrated with administrative and rehabilitation programs, and all must find expression in the master plan.

Even a quick look indicates that there are a great many work opportunities for persons confined in correctional institutions to participate in a construction program for expanding the facilities of the institutions. The use of inmate labor, however, raises many questions of importance, not the least important of which is the "competitiveness" of such labor with free labor in the building trades. The possible lack of essential skills in the inmate labor and the difficulties which arise when inmate labor and free labor must work side by side are also problems.

A study of the plans for institution development as they have been so far projected indicate that a relatively small emphasis has been placed upon the opportunities for using inmate labor. Construction has followed more or less conventional lines. It is here suggested that a material inexpensive and abundant and adequately suited to utilizing relatively unskilled labor should be investigated and used as often as possible. This is the use of what is commonly called "adobe" in California. Adobe, either in the form of bricks or formed earth "Pise," is ancient and still practical material for wall construction. While earth walls are generally called "adobe walls" in California, the soil which is called adobe by the soil specialist is generally unsuitable, because it shrinks too much in drying. Competent engineers and architects inform us that strong, durable earth walls may be made from *any good loam soil,* and there are very few areas in the State without suitable material.

We are informed that there are three methods with several variations employed in the construction of earth walls. One popular method is to set up forms similar to concrete forms. The moist earth is tamped firmly into them. This work differs from pouring concrete, however, as the earth walls are built up in six-inch courses. In the second method, the moist earth is tamped into brick forms and the bricks, which are usually quite large (4″ x 12″ x 18″ is a common size), are dried and later laid into the walls preferably with earth or "adobe" mortar: The third form of construction is rarely used today, but was in common usage

in California 80 to 100 years ago. It is a combination of adobe and stone, and gives a wall which combines the best features of adobe and masonry construction. This wall is ideally adapted to be laid with unskilled labor, and the stone used can be mine or quarry waste of split cobble stones or any stone which has two fairly flat faces. The method employed is to set in adobe mortar, and on suitable foundation, parallel rows of stones with flat faces outward representing the outside and inside of the wall to be built and filling the space between them with adobe mortar and then placing a second row of stones on top and repeating the process until the wall is built to the desired height.

Windows, door casings, etc., of any material can be used in conjunction with the three methods of construction mentioned above. Earth walls are said to be very strong and capable of bearing any type of roof construction that may be desired. Adobe walls also have excellent thermal and hydroscopic properties generally resulting in a cool structure in the summer and easily heated building for winter use.

Walls can be built of adobe by any of the three methods to 20 feet in height making two-story buildings practical. Twenty foot walls would generally be 24 inches in thickness or wider at the base. There are hundreds of examples of all three types of construction in California. Some of them have stood 80 to 100 years and have been built without the benefit of any of the engineering know-how that is available to us today. Many examples, dating from Gold Rush Days, of the third method of construction can be seen in the Mother Lode Country indicating the unusual stability of the material and method in the face of very adverse conditions.

Adobe wall construction is suitable and practical for many institutional buildings one and two stories high. It can be used for buildings to house inmates and for administrative facilities, and it is particularly adapted for the use of all types of out-buildings, shops, tool houses, farm buildings, and, possibly, for much of the housing for resident employees of the institutions.

The use of adobe walls is increasing in California. Many modern architects are finding opportunity to employ earth walls. It is not an "inexpensive" or cheap type of construction save where low cost labor is available, but for construction projects to use inmate labor it is ideal. In conventional types of construction, approximately one-half of the total cost is labor cost, the rest going for materials. When earth walls are employed, the labor cost may rise to as much as 70 percent of the total cost, only 30 percent being expended for materials.

The following publications indicate the range of the present use of adobe in construction and give essential construction data.

Government Bulletins

Adobe Construction
J. D. Long, University of California Bulletin 472

Adobe for Farm Buildings
U. S. Department of Agriculture Farmers Bulletin 1720

Rammed Earth Walls for Farm Buildings
U. S. Department of Agriculture Farmers Bulletin 1500

Adobe as a Building Material for the Plains
Colorado Agricultural College Bulletin 174

Rammed Earth Walls for Farm Buildings
South Dakota Agricultural Experiment Station Bulletin 277
Earth Brick Construction
Educational Division of U. S. Office of Indian Affairs

Books and Other Bulletins

Adobe
Ramirez and Ramirez, Architects
Build Your Own Adobe
Paul Aller
Post Adobe
Hugh W. Comstock
How to Build a California Adobe
Mark Raymond Harrington
Modern Pisé Building
Karl Johan Ellington
Houses of Earth
Annabel Lee
Terracrete
Francis McDonald
The Rammed Earth House
Anthony French Merrill
Building in Cob, Pisé, and Stabilized Earth
Clough Williams-Ellis

In the field of construction, attention should be given also to the uses of earth concrete. Most soils just below the top humus strata are suitable for earth concrete. Suitability of soil can easily be tested for hardness and durability by making up small samples using various ratios of cement mixed with the soil. Earth concrete can be used in the construction of swimming pools, reservoirs, canals, storage facilities, and, in general, for any use in which the concrete is not subject to bearing heavy or concentrated loads. Some experience with this material has already been acquired by the Department of Corrections and by the Division of Beaches and Parks of the Department of Natural Resource.

The need for the rapid expansion of construction programs for our institutions is indicated in the adult institutions which at present are housing more than 40 percent of the inmates in temporary facilities. Other correctional institutions are similarly overcrowded. By the studied use of the maximum amount of inmate labor it is obvious that the construction program can be advanced much more rapidly than is possible if we must wait on the greater appropriations which are necessary for construction along present methods.

OPPORTUNITIES IN THE FIELD OF WASTE UTILIZATION

There appear to be a very considerable field for the use of inmate labor in the reclamation of industrial wastes. There has been so far only a very superficial investigation into the possibilities in this field. It appears worthy of intensive exploration.

Manufacturing is very much on the increase in the West and opportunities of reclaiming industrial wastes consequently will increase with

the increases in industrial activity. Only one example needs to be given to indicate possibilities.

A large manufacturer of instruments for aeronautical uses loses approximately 2,000 small parts, many of which are made of special metals. In general, when any of these small special parts are dropped on the floor by workmen in assembling their products, it has been found impractical to pick them up by high-priced labor employed. Consequently, they go out with the sweepings on the floor from which they can generally be easily screened. They estimate that they lose seven or eight thousand dollars worth of parts in a year. Of course, one such industrial firm is not enough to make a project, but there are probably 10 or 15 other firms in California which have a similar problem. If this waste material were to be assembled and sorted by inmate labor, it would result in the recovery of very many valuable metallic parts which could be, in many instances, sold back to the industrial firms where they were originally lost, or as scrap metal they could be melted into specification ingots, or as materials useful to inmate arts and craft projects They could, in many instances, be utilized in other institutional industries.

Due to the high price and specialization of American labor, we have always put our scrap iron and steel back in the blast furnace in mixed batches. If the various specification steels containing chrome, tungsten, and other special alloys could be sorted into separate batches for reclamation, it would result in large savings The huge quantities of scrap metal that were shipped to Japan during the 1930's was very carefully sorted by the Japanese before it was re-melted.

In addition to the opportunities which may arise in the reclamation of metallic wastes, there is also the possibility of projects in the re-use of cellulose and other plastic materials. Despite the fact that one-third of our paper and rag wastes are re-used, there are still large opportunities and demands for the re-use of paper and similar products

The difficult problem in the salvaging of all of these wastes is the problem which arises in accumulating sufficient quantities at a convenient place to make a reclamation project worth while. However, these are not unsurmountable problems in many instances.

OPPORTUNITIES IN THE FIELD OF COMMUNITY SERVICES

We are already using institutional labor to perform many community services, of which probably the most important is the use being made of prison inmates in forestry camps. Cities and counties are also entering this field with jail inmates Its field of expansion is, however, almost unlimited. The typical project is generally one which would not be undertaken due to lack of sufficient available funds to complete the project with free labor. Almost every city and county has an undeveloped park or playground area which requires grading, tree planting, construction of walks, benches, and other facilities. Almost every community has a roadside beautification project or a tree planting project. Inmate labor can often be used in connection with erosion control and flood control, as well as fireproofing of roadsides. The control of insect pests and other projects connected with public health can also be considered.

Of course, these are projects which must be carried on outside of institutional walls and consequently are of use only with inmates who do

not need to be subjected to total security. A survey of the needs of communities within reasonable range of each institution should reveal that there are many special cooperative projects possible and that work parties could be organized with inmate labor.

LETTER OF TRANSMITTAL

CALIFORNIA STATE LEGISLATURE
SACRAMENTO, CALIFORNIA, January 22, 1951

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento, California

The Assembly Interim Committee on Aviation herewith submits its preliminary report.

The committee was created by House Resolution No. 291 of the 1949 Regular Session. The resolution directed the committee to study:

"(a) The regulation and taxation of aircraft;

"(b) The location, establishment, construction, improvement and financing of landing facilities;

"(c) The responsibilities and activities of the California Aeronautics Commission;

"(d) The continuation of the study of zoning in relation to airports, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation."

Under the directions contained in the resolution, the Speaker appointed the following Members of the Assembly to serve on the committee: Earl W. Stanley, Balboa Island, Chairman; Ralph M. Brown, Modesto; Sam L. Collins, Fullerton; Lester A. McMillan, Los Angeles, and Laughlin E. Waters, Los Angeles.

Late in the session Mr. Collins resigned and appointed L. Stewart Hinckley of Redlands to the vacancy.

The committee held four public hearings in the City of Sacramento during February of 1950; another in Sacramento in September of that year, and one in Los Angeles last November 20th. Many witnesses were called to testify on the matters the committee was directed to study. In addition, the committee held a number of informal conferences.

The committee wishes to express its appreciation to all persons who appeared before it for their helpful assistance and cooperation.

Respectfully submitted,

EARL W. STANLEY, *Chairman*
RALPH M. BROWN
L. STEWART HINCKLEY
LESTER A. McMILLAN
LAUGHLIN E. WATERS

PRELIMINARY REPORT OF ASSEMBLY INTERIM COMMITTEE ON AVIATION

GENERAL STATEMENT

Private aviation in California, a State particularly fitted for development of air travel, faces a crisis. While the number of private airplanes in the State has increased steadily and rapidly, the usefulness of each plane has diminished in recent years. The utility of a private aircraft is best measured by the number of airports in the State—and Nation—the availability and suitability of landing areas, and the number of airports in California has been decreasing steadily in congested areas.

Records of the Civil Aeronautics Authority show there were only 961 private aircraft in California in 1930. By 1941, there were 1,650 and then private aviation was virtually stopped by the war. But within a year after the end of the war there were 7,200 private aircraft in California. In another two years there were more than 10,000 and last year the State had more than 12,000 private aircraft.

Meanwhile, airports were vanishing. One measure of the rate of attrition is the fact that in 1939 there were 57 airports in Los Angeles County. In 1940, there were 33, and several of those are expected to disappear in 1951. The same thing has happened in the San Francisco area. Owners of private planes find little advantage in flying, over driving, to San Francisco for all but the longest trips, because of the time taken to get into the city from the nearest airports.

Witnesses before the committee brought out three main problems entering into the disappearance of established airports, and accounting for the failure to establish new airports in needed locations. The problems were:

Taxation—Private airports necessarily are located close to cities. With California's rapid growth, cities have reached out to surround many airports. With this development has come higher taxes on private airports. Airport owners feel they should be granted some tax relief, especially since the major part of an airport area is taken up by unproductive runways and taxiways. At the same time, airport owners are required to let anyone land on the runways. As one airport owner put it, "there are no private airports."

Several remedies have been suggested. It has been proposed that the runway portion of private airports be "dedicated" to the local government in the same manner as streets in a subdivision. Another proposal was to have the airport owner deed the runways to the local government. A third was to set up airport operation as a nonprofit business, to obtain tax exemption. All the proposals apparently have defects that make them difficult if not impossible to put into effect.

A more recent suggestion, and one that appears most promising, is to have private airports designated public utilities.

Glide Path Encroachment—Another consequence of the growth around airports is impairment of the "glide path" of airplanes landing at the fields or taking off from them. Courts have ruled that owners of property abutting airports have rights to the space above the land at least up to the 500-foot minimum level set by the Civil Aeronautics

Administration for air travel. The use of a procedure of "inverse condemnation" has been suggested as a remedy, although it has difficulties, and its constitutionality is questioned.

State Airport Program—California, unlike many other states, has not aided financially in the establishment of airports. The only money so far contributed to the construction of public airports in the State has come from the Federal Government and from local governments. As a result, California has lagged in the development of airports that have a state-wide, rather than a local, importance. Gaps exist in the airport network in dangerous terrain, where the local government has neither the money nor the interest to develop landing strips. Sites near recreational areas that would draw substantial air travel have remained undeveloped. And private fields have vanished in metropolitan areas and no public airports have been established to replace them.

A suggestion has been made for a modest start on a State-wide System of Airports—as opposed to a patchwork of local fields. Since October 1, 1949, unclaimed gas tax refunds on aviation gasoline have been distributed among cities and counties for capital investment in airports. The plan has not resulted in the construction of any new airports. And the committee has received testimony that the money distributed hasn't always been used specifically for airport improvement.

The proposal is that the unclaimed gas tax refunds amounting to $250,000 to $300,000 annually, be held for allocation to specific airport projects. The California Aeronautics Commission estimates that the first 10 on a list of 45 airports it believes should be built by 1955 could be financed, with local and federal help, with the first year's receipts.

Of the other testimony taken by the committee, most striking were statements on taxation of aircraft, and on the growing use of the airplane in agriculture.

As previous committees have pointed out, taxation of aircraft is not uniform in the various counties, and there appears to be substantial evasion of taxes by aircraft owners A logical proposal is for a state license "in lieu" of local property taxation. Such a tax would follow the theory of the "in lieu" tax on automobiles. A related problem is that of state registration of airplanes. State registration is said to be "virtually" a must if private airplanes are to operate in time of emergency or war.

Estimates that 3,000,000 acres of land in California were treated or seeded from the air in 1950 show the importance of the airplane to the State's agricultural economy. Yet, farm operators testified that California was not doing as much as other states in promoting the use of the airplane in farming or in carrying on research in agricultural aviation as several other states. "Flying Farmers" representatives said they would not object to increased taxes on their operation if that would mean better airport facilities. It should be pointed out that the Legislature last year adopted a concurrent resolution asking the University of California for "the early initiation and implementation of a thorough and coordinated program of research and experimentation in all phases of agricultural aviation."

In December, a national state of emergency was proclaimed, bringing the immediate future of private aviation into doubt Private flyers feel

that they can, under proper regulations, perform a service in time of emergency. Even if actual hostilities break out, they feel they can help with relief and rescue missions. In October, the California Aeronautics Commission proposed a "Civil Defense Plan for Civil Aviation" to accomplish these purposes which has preliminary approval of Military and Air Force authorities.

UNIFORM TAXATION OF AIRCRAFT

Aircraft owners have complained to legislative committees for several years that taxation of their craft varies among counties, that assessment often is arbitrary and evasion is substantial.

For instance, the results of a survey made for the California Aeronautics Commission were reported to the Assembly Interim Committee on Aviation appointed at the 1949 Session of the Legislature. The survey covered 21 counties, all that kept records sufficient for an accurate check. The figures obtained indicated that more than 3,000 aircraft of the 10,500 registered with the Civil Aeronautics Administration as based in California were escaping taxation. The survey also showed that 10 different methods of assessment were used by the various county assessors.

The present committee received similar testimony. Airport owners told of the concentration of aircraft in counties where the assessment is known to be low, on assessment day, March 15th. Virtually every person who testified on this point agreed that a tax levied and collected at the state level would be more equitable.

Hand in hand with a System of Uniform State Taxation of Aircraft would go state registration of aircraft. The only register of ownership of aircraft now is kept in Washington by the Civil Aeronautics Administration. Obviously, a State Tax System that did not depend on an up-to-date record of ownership would suffer from many of the same defects as local taxation does now. Also, there have been complaints to the committee of the time consumed in getting information on aircraft ownership from Washington.

Twenty-four other states, including many of the most populous, now require state registration of airplanes. The principal arguments brought before the committee against state registration in California were duplication and possible excessive cost. The argument against duplication of registration by Federal and State Governments can hardly be maintained in time of emergency. A complete roster of the private airplanes in the State, available at the state level, is necessary for civilian defense purposes, and in fact now is being compiled by the California Aeronautics Commission. The administrative costs should not be appreciably more than the $1 per car required for state registration of automobiles. Either the Department of Motor Vehicles or the State Board of Equalization could effectively handle the registration and assessment and collection of taxes. It has been suggested that a system of assessment similar to that used by the Department of Motor Vehicles for the assessment of the motor vehicle "in lieu" tax be applied to private airplanes.

The taxes collected on airplanes also could be returned to the cities or counties where they are based in much the same manner as the automobile "in lieu" tax.

The case for state registration and taxation of airplanes was stated by the staff of the California Aeronautics Commission at the committee's November 20th hearing, as follows:

Registration

At the present time all aircraft ownership records are maintained by the Civil Aeronautics Administration in Washington, D. C., and all liens on aircraft and aircraft engines are supposed to be recorded there. The federal aircraft certificates are issued to the owner of record and remain in effect until a change in ownership occurs. Certificates do not show liens or mortgages and an expensive and time-consuming search is required to clear titles.

At the present time all states require federal aircraft certificates (licenses) but 24 states go further and require either a state license or state registration of federal licenses. Several states require state license fees in lieu of local personal property taxes (Washington, Michigan, Minnesota, and others).

Arguments favoring state registration of aircraft include:

(a) Local recordation of liens, mortgages, etc.

(b) Enforcement of Financial Responsibility Laws.

(c) Collection of aircraft taxes at state level in the interest of uniformity and complete coverage.

(d) Aid in enforcement through availability of more accurate, up-to-date ownership records.

(e) Availability of aircraft records for control of aircraft operations as in Civil Defense Program.

The principal argument against state registration is "duplication." This is not a valid argument in view of the advantages to be gained from local recordation of ownership.

Taxation

Continued dissatisfaction with present personal property taxes on aircraft has resulted in recurring requests for assistance from commission staff personnel. An illustration of such an instance, utilizing actual figures, is outlined below:

Assessor's estimate of market valuation of 22 aircraft	$18,000.00
Book value of 21 aircraft, shown on company records	12,970.00
Commission estimate of market valuation of 21 aircraft	9,850.00

The discrepancy between the number of aircraft shown on the assessment rolls and considered by the commission and on company records results from county assessment of four aircraft which had been sold or otherwise disposed of before the date of assessment. Three aircraft absent from the base were not included in the tax statement, nor were they assessed in other areas. Thirty-three percent of the number of aircraft actually owned were, therefore, taxed in error or not taxed at all. Further complications resulted when the owner received his tax statement after the assessment roll had been closed and after the Board of Equalization of the county had completed hearings.

Efforts to adjust the obvious discrepancies in this particular situation will probably be successful. Thus far, reductions in assessed valuations have been allowed on all aircraft considered,

with Commission estimates of market valuations accepted by both the operator and the assessor as fair valuations. The aircraft owner has stated, however, that he intends to locate in a county or state where "reasonable" valuations are being made, fly his equipment in on the assessment date, and pay the tax in that location rather than become involved in a similar situation next year. Such "gentlemen's agreements" have already been worked out between several large operators and county assessors, and this practice will become even more widespread as aircraft not now taxed are included on tax rolls.

Previous committees have had evidence of a wide disparity in evaluation of aircraft by the several county assessors and of an estimated 25 percent of aircraft which escape taxation altogether.

We have the experience of automobile taxation of a few years ago as an example of unsuccessful handling of highly mobile personal property at county level. The present system of in lieu licensing of automobiles is a vast improvement over the old system. Similar benefits to the aviation industry would undoubtedly occur.

Assembly Bill No. 2204 by Mr. McMillan passed the Assembly in 1949 but died in the Senate Committee on Revenue and Taxation. It sought to correct present inequities and evasions. Its principal point of contention was the basis for distribution of receipts back to the several counties. The counties object quite naturally to the earmarking of their tax funds.

Yet here is a method whereby funds derived directly from aircraft users (in lieu license fees) may be earmarked for airport development and whereby those counties which do nothing to aid in the airport system of the State may be forced to take a more active part in the program.

Conclusion

It would appear that Assembly Bill No. 2204 with necessary modifications should be reintroduced in the 1951 Session and a definite effort made to provide this additional aid to airport financing. State-wide, the amount of taxes on aircraft would approximate $400,000 annually, which amount would aid the airport program materially.

Typical of comments by men prominent in the private aircraft business was testimony by Mr. Forrest Farini of the Flying Farmers organization, and by Mr. H. W. Livermore, President of the California Aviation Trades Association.

MR. FARINI testified as follows:

"And now, I missed the first item on the Regulation and Taxation of Aircraft. That is very important to us. I might cite specific examples. In citing this, I am not recommending whether we should accept an in lieu tax the same as automobiles or not I am just leaving up to your opinion and judgment, but I do know that the inequities among counties handling our airplane tax problem is getting to be quite a racket. In my own particular case, one county had me listed for my airplane, had the tax at $51 37. In the adjoining county—I reside within about two miles of the line—that county

sent me a bill for $71 on the same aircraft. I called the assessor on the phone and asked him if he would please release me from his tax rolls because the property he claimed I was owing the tax on was hangared and kept in my own business place in the adjoining county. 'Well,' he said, 'unless you can show you have paid the tax in one county' said I would have to pay it in his county; which I couldn't understand. I finally told him in plain English that I thought he was all wet and demanding something not proper; and then in a few days I got another statement, got three statements, and then at the end of the year it was finally turned over to the District Attorney for collection. Well, I had paid my taxes in the other county so ignored it I heard nothing further from it.

I know of another man who owns property in three different counties. He has checked around and found the place where the tax rate is the lowest, and that is where the plane is on March 1st.

I happen to have a strip at my home and around the end of February or March 1st my strip is practically a parking lot rather than a flying field.

MR. MCMILLAN: That is the county where the assessment was at $51 rather than at $73?

A. Yes.

THE CHAIRMAN: Isn't that primarily due to the fact that all counties don't use the same yardstick in assessing and that there should be a standard valuation, a more scientific approach to the assessment?

A. That is right; that would solve the problem. Then there are a lot of counties that feel that aircraft is something that they feel they shouldn't be expected to pay taxes on it because there is no possibility of that money getting into the aircraft fund; so they don't want to pay it.

I know one field, very inaccessible, and around that time of the year he is just loaded with airplanes and there is no tax collected."

MR. LIVERMORE'S testimony was:

"That Number 1, that 'Taxation of Aircraft' has gotten to be a serious matter. Like all taxes, they haven't been coming down. I have a case in my airport which is rather to the point. A man who has been a pilot and flying practically continuously since 1930, which you would call an old-time pilot—in 1946, he bought a Taylorcraft new, and last year, 1949, well it is three years old. He, by the way, isn't one of the silk stocking pilots; he runs a goat dairy farm for a living, and his tax on that craft was $149, and all the pleading and going to the tax assessor and collector's offices availed him nothing.

MR. BISHOP: What would you say would be the market value of that?

A. About $600; may be five now. I have a ship I bought from North American, next to the last North American to go out, at $7750, in the early part of 1947, and the tax on that last year was $156. You see there is nothing equitable about that. My tax on that is almost as low as the tax on his $2350 plane that is three years old

THE CHAIRMAN: Have you run into the problem of different counties placing a different assessed valuation on similar craft?

A. Yes. In Los Angeles County, they really shove it into you."

The committee concludes it is no more reasonable to expect the aircraft industry (as an industry) to build and maintain airports than it is to expect the automobile manufacturing industry to build and maintain highways.

The user should pay those costs over a wide base, as is the case in the State Highway System, but the cost of each unit of the Airport System cannot always be recovered by the users of that unit any more than the cost of each mile of the State Highway System can be recovered from each user of that particular mile. They must be averaged out. Hence, all revenue derived directly from aviation should be applied to the completion of a state-wide system

DEVELOPMENT OF A STATE-WIDE SYSTEM OF AIRPORTS

Generally the aircraft industry must look to government for the further development of landing fields. Private airports have a necessary and logical place in a State-wide System of Landing Places, and the committee has recommendations aimed at helping private airports stay in business. But the long term trend, especially in a rapidly growing State, is against the maintenance of the present number of private airports. let alone the development of new ones.

The principle of government aid to transportation industries is not new. From the time of federal land grants to railroads down to today's huge highway programs, government has recognized the development of transportation as having a public interest. The cities and counties of California recognized the need before the State Government did. Until 1949, the State gave no direct aid to airport construction, leaving the field to the Federal and local Government. One result has been the growth of airports of increasing size and complexity in the metropolitan areas. They are geared to commercial aviation and have outgrown private aircraft There has been no sponsorship for airports clearly needed for intrastate flying.

California's State Government started taking an interest in airport development in 1949 when unclaimed gasoline tax refunds on aviation fuel were segregated. The money has been turned over to cities and counties owning airports for capital improvement. The law setting up this fund, incidentally, expires unless renewed at this session.

The committee believes this segregation of refunds should continue. But it recommends that the money be held at the state level for allocation to specific airport projects fitting into an adequate state network. It has been pointed out to the committee that no new airport has been sarted as a result of the program. And the statement has been made that none will be as long as the money is divided among all the airport-owning local governments of the State.

One difficulty is the small amount of money that any single local government gets. In the first 12 months the law was in force, $312,597.17 was distributed. The shares ranged from approximately $135 received by the City of Hayward, to $26,375 received by the County of Los Angeles.

Apportionment of Unrefunded MVF Tax on Aviation Gasoline to Counties and Airport-owning Cities Therein
October 1, 1949, Through September 30, 1950

	Total Allocation Under Formula			*Division Between County and Cities*	
	Oct.-Dec., 1949	*Jan.-Mar., 1950*	*Total 12 Months*	*To County*	*To Cities Owning Airports*
Alameda	$1,880.74	$8,916.17	$10,796.91	$5,398.46	$5,398.45
Alpine	698.08	1,107.51	1,805.59	1,805.59	
Amador	705.01	1,153.31	1,858.32	1,858.32	
Butte	889.80	2,373.37	3,263.17	1,631.59	1,631.58
Calaveras	747.17	1,431.69	2,178.86	2,178.86	
Colusa	762.41	1,432 21	2,294.62	2,294.62	
Contra Costa	934.83	2,670 69	3,605.52	1,802.77	1,802.75
Del Norte	736.65	1,362,14	2,098.79	2,098.79	
El Dorado	833.25	2,000.01	2,833.26	1,416.64	1,416.62
Fresno	1,630.71	7,265.38	8,896.09	4,448.05	4,448.04
Glenn	784.42	1,677.60	2,462.02	2,462.02	
Humboldt	1,090.03	3,695.40	4,785.43	2,392.72	2,392.71
Imperial	1,210.03	4,487.71	5,697.74	2,848.88	2,848 86
Inyo	1,650.89	7,398.59	9,049.48	9,049.48	
Kern	1,747 04	8,033.36	9,780.40	9,780.40	
Kings	844.30	2,072.96	2,917.26	1,458.63	1,458.63
Lake	775.59	1,619.26	2,394.85	2,394.85	
Lassen	1,128 65	3,950.40	5.079.05	2,539.53	2,539.52
Los Angeles	7,398.98	45,351.21	52,750.19	26,375.10	26.375.09
Madera	892.53	2,391.38	3,283.91	1,641.96	1,641.95
Marin	806.35	1,822.35	2,628.70	2,268.70	
Mariposa	783.08	1,668.79	2,451.87	2,451.87	
Mendocino	1,038.05	3,352.23	4,390 28	2,195.15	2,195.13
Merced	929.83	2,637.67	3,567.50	1,783.76	1,783.74
Modoc	1,066.51	3,540.14	4,606.65	2,303.33	2,303.32
Mono	942 60	2,721.96	3,664.56	3,664.56	
Monterey	1,123.00	3,913.09	5,036.09	2,518.05	2,518.04
Napa	769.17	1,576 86	2,346.03	2,346.03	
Nevada	767.29	1,564.49	2,331.78	1,165.90	1,165.88
Orange	1,002.13	3,115.05	4,117.18	2.058.60	2,058.58
Placer	840.01	2,044.58	2,884 59	1,442.30	1,442.29
Plumas	911.00	2,513.36	3,424.36	3,424.36	
Riverside	1,587.53	6,980.20	8,567.73	4,283.87	4,283.86
Sacramento	1,113.58	3,850.97	4,964.55	2,482.28	2,482.27
San Benito	790.04	1,714.75	2,504.79	1,252.40	1,252.39
San Bernardino	2,999.28	16,301.45	19,300.73	9,650.37	9,650.36
San Diego	1,715.70	7,826.55	9,542.25	4,771.13	4,771.12
San Francisco	2,084 81	10,263.61	12,348.42	12,348 42	
San Joaquin	1,073.39	3,585.56	4,658.95	2,329.48	2,329.47
San Luis Obispo	1,032.34	3,314.55	4,346.89	2,173.45	2,173 44
San Mateo	934.87	2,670.92	3,605.79	3,605.79	
Santa Barbara	1,059 43	3,493.35	4.552.78	2,276.40	2,276.38
Santa Clara	1,155.49	4,127.59	5,283.08	2,641.55	2,641.53
Santa Cruz	771.78	1,594.15	2,365.93	1,182.97	1,182.96
Shasta	1,074.52	3,593.02	4.667.54	2,333.77	2,333.77
Sierra	727.43	1,301 36	2,028.79	2,028.79	
Siskiyou	1,319 72	5,212.05	6,531.77	3,265.89	3,265.88
Solano	826.93	1,958.31	2.785.24	2,785.24	
Sonoma	942.85	2,723.67	3,666 52	3,666.52	
Stanislaus	947.48	2,754.28	3,701.76	1,850.88	1,850.88
Sutter	728.30	1,307.05	2,035.35	2,035.35	
Tehama	954.55	2,800.85	3,755.40	1,877.71	1,877.69
Trinity	951.68	2,782.00	3,733.68	3,733.68	
Tulare	1,352.24	5,426 70	6,778.94	3,389.47	3,389.47
Tuolumne	878.65	2,299.73	3,178.38	3,178.38	
Ventura	969.87	2,902.08	3,871.95	3.871.95	
Yolo	790.27	1,716.17	2,506.44	2,506.44	
Yuba	727.92	1,304.55	2,032.47	1,016.24	1,016.23
TOTALS	$67,830.78	$244,766,39	$312,597.17	$200,398.29	$112,198.88

Apportionment of Unrefunded MVF Tax on Aviation Gasoline to Airport-owning Cities—October, 1949, to September, 1950

County / *City*	*Allocations by cities* Oct.-Dec. 1949	*Allocations by cities* Jan.-Mar. 1950	*Totals for 12 months ** To cities	*Totals for 12 months ** To cities by counties
Alameda				
Hayward	$23.66	$112.18	$135.84	
Oakland	916.71	4,345.90	5,262.61	$5,398.45
Butte				
Chico	$301.10	$803.11	$1,104.21	
Oroville	143.80	383.57	527.37	$1,631.58
Contra Costa				
Martinez	$467.41	$1,335 34	$1,802.75	$1,802.75
El Dorado				
Placerville	$416.62	$1,000.00	$1,416.62	$1,416.62
Fresno				
Coalinga	$47.87	$212.50	$260 37	
Fresno	767.48	3,420.19	4,187.67	$4,448.04
Humboldt				
Eureka	$545.01	$1,847.70	$2,392.71	$2,392.71
Imperial				
Brawley	$374.47	$1,388 84	$1,763.31	
Calexico	173.05	641.79	814.84	
Calipatria	57.49	213.22	270.71	$2,848 86
Kings				
Hanford	$348.73	$856.22	$1,204 95	
Lemoore	73.42	180.26	253.68	$1,458.63
Lassen				
Susanville	$564.32	$1,975 20	$2,539.52	$2,539.52
Los Angeles				
Hawthorne	$24.33	$149.34	$173.67	
Long Beach	415.25	2,545.18	2,960.43	
Los Angeles	3,113.71	19,084 94	22,198.65	
Santa Monica	116.16	712 00	828.16	
Torrance	30.04	184.14	214.18	$26,375.09
Madera				
Madera	$446.26	$1,195.69	$1,641.95	$1.641.95
Mendocino				
Ukiah	$386.22	$1,247.25	$1,633.47	
Willits	132.80	428.86	561.66	$2,195.13
Merced				
Dos Palos	$31.84	$90 33	$122.17	
Los Banos	84.49	239.68	324.17	
Merced	348.58	988.82	1,337.40	$1,783.74
Modoc				
Alturas	$533.25	$1,770.07	$2,303 32	$2,303.32
Monterey				
King City	$82.01	$285 76	$367.77	
Salinas	479.49	1,670.78	2,150 27	$2,518.04
Nevada				
Nevada City	$383 64	$782 24	$1,165 88	$1,165.88
Orange				
Fullerton	$501.06	$1,557.52	$2,058.58	$2,058 58

* No surplus available for distribution in third and fourth quarters April-September, 1950.

Apportionment of Unrefunded MVF Tax on Aviation Gasoline to Airport-owning Cities—October, 1949, to September, 1950—Continued

County / *City*	*Allocations by cities* Oct.-Dec. 1949	Jan.-Mar 1950	*Totals for 12 months** To cities	To cities by counties
Placer				
Auburn	$281.47	$685.10	$966.57	
Lincoln	138.53	337.19	475.72	$1,442.29
Riverside				
Banning	$380.91	$1,674.84	$2,055.75	
Palm Springs	412.85	1,815.26	2,228.11	$4,283.86
Sacramento				
Sacramento	$556.79	$1,925.48	$2,482.27	$2,482.27
San Benito				
Hollister	$395.02	$857.37	$1,252.39	$1,252.39
San Bernardino				
Needles	$304.91	$1,657.24	$1,962 15	
Ontario	1,194.73	6,493.48	7,688.21	$9,650.36
San Diego				
San Diego	$857.85	$3,913.27	$4,771.12	$4,771 12
San Joaquin				
Stockton	$487.41	$1,628.15	$2,115.56	
Tracy	49.28	164.63	213.91	$2,329.47
San Luis Obispo				
Paso Robles	$516.17	$1,657.27	$2,173.44	$2,173 44
Santa Barbara				
Santa Barbara	$419.31	$1,382 64	$1,801 95	
Santa Maria	110.40	364.03	474 43	$2,276.38
Santa Clara				
Palo Alto	$120.81	$431.56	$552 37	
San Jose	456.93	1,632.23	2,089 16	$2,641 53
Santa Cruz				
Watsonville	$385.89	$797.07	$1,182.96	$1,182 96
Shasta				
Redding	$537.26	$1,796 51	$2,333.77	$2,333.77
Siskiyou				
Montague	$659.86	$2,606.02	$3,265.88	$3,265.88
Stanislaus				
Modesto	$355 45	$1,033.74	$1,389 19	
Turlock	118.29	343.40	461.69	$1,850.88
Tehama				
Corning	$113.19	$332.11	$445 30	
Red Bluff	364.08	1,068 31	1,432.39	$1,877.69
Tulare				
Porterville	$151.12	$606 39	$757 51	
Tulare	268.18	1,076 15	1,344.33	
Visalia	256.82	1,030.81	1,287.63	$3,389.47
Yuba				
Marysville	$363.96	$652.27	$1,016.23	$1,016.23
Total apportionment to airport-owning cities	$22,587.74	$89,611 14	$112,198.88	$112,198.88

* No surplus available for distribution in third and fourth quarters April-September, 1950.

Not only has the money been dissipated into shares usually not large enough to do any lasting good, but the committee heard complaints that the spirit, if not the letter of the legislative act, has been violated. The law specifies that the money be used for capital improvements at airports. One witness asserted one local government used its share to replace hangar doors. Other witnesses said a number of localities placed the money in their airport funds, but reduced the amount put into the fund from other sources by an equal amount.

A statement to the committee by the staff of the California Aeronautics Commission also pointed out that the funds are not matched with federal airport funds, as would be possible if expended on specific airport projects under proper state control. "The amount could be more than doubled in effectiveness in this manner," the statement said, and continued:

> "The amounts distributed to the cities and counties have been used largely to offset capital expenditures already budgeted, or to make minor improvements to existing airports. So far as is known, no new airports have resulted from this form of state aid. The allocations are being dissipated without substantial gain to the State.
>
> "The method of distribution of funds under this act is impractical for several reasons, among them:
>
> "(a) There is no state control over expenditures
>
> "(b) Allocation bears no relationship to airport need.
>
> "(c) Contingent upon ownership rather than desire to own.
>
> "(d) Amounts are relatively insignificant individually.
>
> "(e) Allocation wholly unfair to some counties.
>
> "Another source of airport funds derived solely from aviation is the sales tax on aviation gasoline applied only if refund is claimed. For the first 12 months of segregation of aviation MVF taxes, this amounted to $369,027.27.
>
> "There is ample justification for state assistance in the federal aid airport program—now extended to 1958. The states readily participate in the federal aid highway programs and all other similar federal subventures. We have indicated where $500,000 per year is being derived solely from the aviation industry. In all fairness it should be applied to an airport construction program."

The Aeronautics Commission also has prepared a "California Airport Study" recommending the construction of a state-wide system of 45 airports by 1955, when it is estimated California will have some 19,000 private aircraft. The program should provide at least a tentative basis for allocation of the unrefunded gasoline tax money. Of the program, the study says:

> "The 1955 program which will fulfill most of California's airport needs, will cost about $14,800,000, of which $7,300,000 will most probably be contributed by the Federal Government under provisions of the Federal Airport Act of 1946, leaving a state and local share of $7,300,000. This expenditure of state, county and/or city funds for airports appears to be reasonable and equitable when compared to state expenditures for other forms of transportation.

Highway capital expenditure by the State alone for construction, reconstruction, and improvements, *less* federal reimbursements, for the fiscal year ended June, 1949, amounts to $18.05 per year for each licensed motor vehicle operator. This airport program proposed the capital expenditure of $19.89 per licensed pilot per year for a period of five years on the same basis."

The statement adds significantly:

"Privately owned airports, with some exceptions, are not considered for the reason that there is no assurance that any of these will be in existence at any time in the future."

The 1955 program proposed follows:

Tentative Selection—High Priority Airport Projects of State-wide Importance—45 Sites—September 1, 1950

Priority	Airport	County	CAA Class Present	CAA Class Proposed	Principal Justification	Estimated Costs Total	Sponsor's Share Federal	Sponsor's Share State	Sponsor's Share County
1	State Fair	Sacramento	0	3	State Fair	$87,000	$43,500	$43,500	
2	Lake Tahoe	El Dorado	0	1	Emergency, Recreation	115,000	62,260	52,740	
3	Wawona	Mariposa	0	2	Recreation, Emergency	97,000	52,500	44,500	
4	Death Valley	Inyo	2	4	Carrier, Recreation	150,000	81,200	34,400	34,400
5	Calexico	Imperial	0	5	Carrier 1955—Port of Entry	217,000	105,000	56,000	56,000
6	Gorman Emergency	Los Angeles	0	2	Emergency, Forest Patrol	28,000	13,700	14,300	
7	Siskiyou Emergency	Shasta	0	2	Emergency	19,000	9,400	9,600	
8	Blue Canyon Emg	Placer	1	2	Emergency	12,000	6,350	5,650	
9	Bridgeport	Mono	1	2	Recr, Emg, Non-sch, Carrier	92,000	49,800	21,100	21,100
10	East Bay	Alameda-Contra Costa	0	3	Non-scheduled, Freight	2,500,000	1,250,000	625,000	625,000
11	San Gabriel	Los Angeles	0	5	Carrier	40,000	20,000	10,000	10,000
12	Oceanside	San Diego	0	3	Carrier	99,000	49,500	24,750	24,750 *
13	Brewer Island	San Mateo	0	2	Non-scheduled	175,000	87,500	43,750	43,750
14	Islais Creek	San Francisco	0	1	Non-scheduled	750,000	375,000	187,500	187,500 *
15	Capistrano	Orange	0	2	Non-scheduled, Recreation	20,000	10,000	5,000	5,000
16	Salyer	Trinity	0	2	Fire Patrol, Recr, Emg	35,000	17,500	17,500	
17	Truckee	Nevada	0	3	Emergency, Recreation	77,000	38,500	19,250	19,250
18	Big Bear	San Bernardino	1(P)	2	Non-sch, Recr, Forest Patrol	5,000	2,500	2,500	
19	Cuyamaca	San Diego	0	1	Recreation, Emergency	32,000	16,000	16,000	
20	Idylwild	Riverside	0	1	Recreation, Emergency	30,000	15,000	15,000	
21	Weed	Siskiyou	0	3	Emergency, Carrier	70,000	35,000	17,500	17,500
22	Kelseyville	Lake	0	3	Carrier	70,000	35,000	17,500	17,500
23	Greenbrae	Marin	0	1	Non-scheduled, Carrier	125,000	62,500	31,250	31,250
24	Susanville	Lassen	1	3	Carrier	75,000	37,500	18,750	18,750 *
25	Arvin	Kern	0	3	Agricultural, Freight	95,000	47,500	23,750	23,750
26	Bodega	Sonoma	S-1	1	Emergency, Recreation	34,000	17,000	8,500	8,500
27	Usal-Kenny	Mendocino	0	1	Emg, Recr, Forest Patrol	31,000	15,500	15,500	
28	Patrolia	Humboldt	0	1	Emergency, Forest Patrol	25,000	12,500	12,500	
29	Orick	Humboldt	0	1	Emergency, Forest Patrol	25,000	12,500	12,500	
30	Klamath	Del Norte	1(P)	2	Emg, Recr, Forest Patrol	28,000	14,000	7,000	7,000
31	Westwood	Lassen	1	2	Emergency, Recreation	15,000	7,500	3,750	3,750
32	Three Rivers	Tulare	1	1	Recreation, Emergency	16,000	8,000	4,000	4,000
33	Morro Bay	San Luis Obispo	1(P)	2	Emg, Recr, Non-scheduled	28,000	14,000	14,000	
34	Crestline	San Bernardino	0	2	Emg., Recr, Forest Patrol	25,000	12,500	6,250	6,250
35	Lone Pine	Inyo	1	2	Recreation, Emergency	35,000	17,500	8,750	8,750
36	Long Valley	Mono	1	2	Recreation, Forest Patrol	27,000	13,500	6,750	6,750
37	Castaic	Los Angeles	0	2	Emergency, Non-scheduled	55,000	27,500	27,500	
38	Stewarts Point	Sonoma	0	1	Resorts, Non-scheduled	31,000	15,500	15,500	
39	Gaviota	Santa Barbara	0	2	Emg, Recr, Non-scheduled	25,000	12,500	12,500	
40	Bolinas	Marin	0	1	Recreation, Emergency	35,000	17,500	8,750	8,750
41	Beckwourth	Plumas	1	3	Carrier	65,000	32,500	16,250	16,250
42	Pt Arena	Mendocino	0	2	Emg, Recr, Forest Patrol	35,000	17,500	17,500	
43	Hanford	Kings	1	3	Carrier	52,000	26,000	13,000	13,000 *
44	Auburn	Placer	2	3	Carrier	79,000	39,500	19,750	19,750 *
45	Barstow	San Bernardino	1(P)	1	Carrier, Non-scheduled	3,000	1,500	750	750
						$5,684,000	$2,857,210	$1,587,790	$1,239,000

(* Partial city sponsorship suggested if available)

Prepared by California Aeronautics Commission, 817 Tenth Street, Sacramento, California

THE AIRPLANE IN AGRICULTURE

The airplane is becoming just as important a farm tool in California as the tractor. This fact was brought home to the committee impressively by farm delegations. And farmers who are using airplanes in their operations now believe that use of planes is still in an early stage. They compare it with the state the automobile industry had reached in 1912.

California has about 8,000,000 acres of land under cultivation. In 1947, 600,000 of those acres were treated or planted by airplane. The next year, 850,000 acres were treated by air; in 1949, over 2,000,000; and this year more than 3,000,000. This year, the airplane will be used over fully a half of California's farm acreage if unrestricted flying is permitted.

Cultivation of one important farm crop, rice, has been almost entirely converted to an air operation in California. Farmers told the committee that 95 percent of the rice in California is planted or treated by air. Many rice farmers cover their acreage three times by airplane in one season—seeding, fertilizing, and applying weed killers. A fourth operation has recently been added, application of a special drying agent to dry the rice on the stalk.

The airplane may be the tool with which to reclaim many thousands of acres of brush land in the foothill areas for pasture or cultivation. Chemicals have been developed that apparently will do the job at a cost that appears to make the method worthwhile. One witness told the committee that effective brush control would increase the value of the land from a dollar or two an acre to $25 or $30.

The farm groups testifying before the committee united in asking for more research by the University of California on agricultural uses of airplanes Research on insecticides and the so-called "weed killers" is going forward rapidly. What is sought is study of the techniques of application of these agents by air, and of any special effects resulting from their application by air. The effect of weather conditions on air application is a field in itself. The university conducted a field experiment this year in controlled brush burning. The only experimentation in air treatment of brushland so far has been done by farmers as individuals or groups.

"Technical knowledge has been available to the aircraft companies for their type of work, and to the Army for its, but in the agricultural field there has been very little technical ability applied," one witness told the committee.

Several witnesses complained that California was behind other states in research in agricultural aviation. Illinois, Texas, and Oklahoma were mentioned as states leading California in this respect. In Texas an airplane especially fitted for treatment of farm land is being designed at a state college.

The case for more research in the field was stated in a resolution adopted by the Board of Directors of the Farm Bureau Federation, as follows:

> "The use of aircraft in California agriculture is expanding yearly. Major present and potential uses include the application of insecticides for insect and disease control and herbicides for weed

control, the application of fertilizers, defoliants and hormones, the seeding of grains and grasses, and the emergency feeding of livestock. Other uses of significance to farm people include locating and controlling fires and the air transport of high quality perishables.

"Because this phase of agricultural endeavor is relatively new, not a great deal is known with respect to such matters as the most effective types of planes for various agricultural purposes, the factors influencing the safe use of various materials, the most efficient dispensing equipment for various purposes, the physical forms in which various materials may be most efficiently used, and a host of other matters.

"There are many private organizations doing some research along some of these lines or which would be willing to contribute or collaborate with a coordinating effort.

"It is therefore recommended that the College of Agriculture of the University of California give consideration to undertaking the responsibility for planning, coordinating, and carrying out research relative to the use of aircraft in agriculture, and in disseminating information among those groups and individuals who are involved in this phase of agricultural endeavors."

Farm groups, including the Farm Bureau Federation, also have urged the retention by the University of the College Airport at the Davis Campus, and its expansion as a center for research in agricultural aviation. Farmers also have an equal if not greater interest in the development of a regional system of small airports, both in rural areas and in metropolitan areas where the large commercial airports are virtually inaccessible to the private flyer.

Representatives of the Flying Farmers, Inc., expressed themselves as willing to pay the same tax on gasoline as paid by the automobile owners, if that would result in expansion of airport facilities. Many asked for the development of economical landing strips beside highways.

Both houses of the Legislature in 1950 approved a concurrent resolution asking the University of California to enter into a program of research in agricultural aviation. The resolution also asked for development of the University Airport. Approval of a similar resolution this year might re-emphasize the Legislature's interest. A further and more effective step would be provision of funds for such a program.

The 1950 resolution follows:

WHEREAS, The practicability and the potentialities of the use of the aircraft as a tool of agriculture has been demonstrated by many agencies, both public and private; and

WHEREAS, The major present and potential uses of the aircraft in agriculture include the application of insecticides for insect and disease control and herbicides for weed control, the application of fertilizers, defoliants and hormones, the seeding of grains and grasses, and the emergency feeding of livestock; and

WHEREAS, Statistics from the State Department of Agriculture show that over 600,000 acres of crops were treated by aircraft for pests

and diseases in 1947, over 850,000 acres in 1948, and over 2,000,000 acres in 1949, thus indicating the phenomenal increase in the use of aircraft in agriculture; and

WHEREAS, The Joint Legislative Committee on Agriculture and Livestock Problems after hearings and investigations of all phases of agricultural aviation over a period of more than two years has recommended the establishment of a coordinated program of research and experimentation in all phases of agricultural aviation; and

WHEREAS, The University of California now owns and operates the University Airport at the University of California at Davis, and has the proper facilities at the College of Agriculture to carry on experiments in agricultural aviation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby urges and recommends to the Board of Regents of the University of California and to President Robert Gordon Sproul and Doctor Claude B. Hutchison, Dean of the College of Agriculture, the early initiation and implementation of a thorough and coordinated program of research and experimentation in all phases of agricultural aviation; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Board of Regents of the University of California, to President Robert Gordon Sproul, and to Doctor Claude B. Hutchison.

CIVIL DEFENSE PLAN

The California Aeronautics Commission and its staff are to be commended for taking the lead in preparing a civil defense plan for owners and operators of private planes in California. With the outbreak of World War II, civil aviation came to a standstill in California with the exception of regularly scheduled airlines. Under the plan proposed by the commission, civil aviation may continue in the State, and can play an important part in civilian defense. The preliminary stage of the plan already is being put into effect by the commission staff.

The staff worked with the Sixth Region of the Civil Aeronautics Administration, with an industry-wide advisory group and with representatives of the Army, Navy, and Air Force defense establishments in the area in preparing the plan. It has the tacit approval of those agencies.

"Our plan is specific," a statement of the commission staff to the committee said, "in that it places responsibility for doing the necessary things and taking the necessary action to meet requirements of the military establishment on the West Coast. We believe that through its adoption we can prevent the arbitrary grounding of all aircraft in this area and make the potential of civil aviation available to the defense effort and disaster relief planners."

Technicians have pointed out the tremendous waste of a valuable transportation medium that would result from the grounding or removing of California's 10,000 civil aircraft. In emergency, radio-equipped aircraft could be used by civilian defense officials for the observation so necessary to action. They could be used in traffic control in emergency, spotting bottlenecks and helping in the efficient routing of traffic.

Above all, they could be used for relief and rescue missions. Recently the necessity for importing doctors as quickly as possible from inland states, in event California was the object of an atom bomb strike, has been emphasized. Other technicians and workers would have to be rushed to the stricken area, as would supplies. Railroads can be cut, and highways also may be rendered useless by a damage at any point along their length.

But emergency landings and takeoffs of small aircraft can be accomplished from reasonably level strips of less than 1,000 feet in length. It has been calculated that 2,000 small airplanes, only a fifth of those now in California, could bring 5,000 needed personnel to a stricken area from 100 to 150 miles distance within an hour. The same number could evacuate a similar group of persons from an area under attack. Two thousand small aircraft could bring in from inland stockpiles 1,000,000 pounds of medical supplies, surgical instruments, bandages, blankets, and other material in a matter of hours.

It is possible that the private aircraft could play the similar role in an attack on California to that played by small boats in the Dunkirk rescue mission in World War II.

If there is no attack on California, removal of civil aircraft would deprive owners of planes of a $25,000,000 investment It also would halt the operation of flying schools in the state who also have a $25,000,000 investment.

The State Aeronautics Commission's plan is designed to meet the objections to civilian flights in war time by setting up a chain of communication that will allow military and civil authorities to know where each plane is at any given time. It is interesting to note that regulations issued by the Federal Civil Aeronautics Administration recently follow almost exactly the plan proposed by the state agency.

PRESERVATION OF EXISTING AIRPORTS

FRESNO, Dec. 29—An irate old farmer today forced the Civil Aeronautics Authority to order a partial shutdown of Fresno's bustling municipal airport—Hammer Field. At noon today Marshall Pipes, 70 year old farmer, moved a 40 foot high water tower a quarter-mile across his farm and smack up against the main runway's end—"out of pure spite," city officials said.

Because of the farmer's tower, the CAA banned all night or instrument landings at Hammer Field, shutting it down for 12 hours daily and for all 24 hours in bad weather. The ban affects 12 daily flights by Trans World Airlines and United Airlines, plus dozens of other civil and military flights. It will disrupt airmail service to 200,000 people in the Fresno area.

Last night the CAA wired Farmer Pipes a plea to move his tower, the Fresno Postmaster threatened action for delaying the mails, and City Attorney C. M. Izias vowed to take him into court. "It's just plain cussedness," said Attorney Ozias, "he's got 40 acres alongside Hammer Field and he claims that the airport's presence prevents him from subdividing his land. So he moved that tower over to force us to buy him out or pay him $20,000 damages, which he's claimed. That tower is a menace to aircraft and to human

lives. But the city isn't going to hand over a lot of money just for Mr. Pipe's pleasure. We're going to have to fight this out. I'll probably sue for an injunction tomorrow."

Pipes has hired three attorneys for his fight against the air age. One of them, Irving T. Atten, shrugged off the fuss. "That tower wasn't moved just for spite," he said. "Mr. Pipes just wanted to move it, that's all. It's just a little tower," he said. "Of course, if the city wants to, it could always buy Mr. Pipe's property and take the tower down." In the meantime Pipe's dreams tonight were undisturbed by the roar of passing planes. Hammer Field, Fresno multimillion dollar municipal pride, was as quite as a grave. Not a plane came in.

The above news dispatch, printed in the *San Francisco Chronicle* last month, shows graphically one of the problems in maintaining the airports California already has. Whatever the rights in the individual situation, it would seem that the State has an interest in preservation and expansion of an Airport System. But courts have held that property owners have the right to air space above their property at least to a height of 500 feet.

While the courts hold that a property owner has not a right to air space for an indefinite height above his land, he does have a right up to the lower limit of navigable air space And that does not include safe glide paths for planes coming into airports.

In 1946, in the case of *United States* vs. *Causby and Wife* the United States Supreme Court said:

> The navigable airspace which Congress has placed in the public domain is "airspace above the minimum safe altitudes of flight prescribed by the Civil Aeronautics Authority." If that agency prescribed 83 feet as the minimum safe altitude, then we would have presented the question of the validity of the regulation. But nothing of the sort has been done. The path of the glide governs the method of operating—of landing or taking off. The altitude required for that operation is not the minimum safe altitude of flight which is the downward reach of the navigable airspace. The minimum prescribed by the authority is 500 feet during the day and 1,000 feet at night for air carriers * * *. The Civil Aeronautics Authority has, of course, the power to prescribe air traffic rules. But Congress has defined navigable airspace only in terms of one of them—the minimum safe altitudes of flight.
>
> "We have said that the airspace is a public highway. Yet it is obvious that if the landowner is to have full enjoyment of the land, he must have exclusive control of the immediate reaches of the enveloping atmosphere. Otherwise buildings could not be erected, trees could not be planted, and even fences could not be run."

Zoning under present laws apparently is not the answer, either. Suits by owners of property adjoining an airport still may be filed to abate the airport as a nuisance, and adjoining property owners still may build structures interfering with glide paths. Curiously, air approaches may not be protected by zoning an area for airport use, but the same

result can be achieved by zoning limits for the height of buildings in an area, without mentioning the purpose of safeguarding glide paths.

One solution for public airports, although it may be an expensive one, is the purchase of surrounding lands and their resale with air easements.

For private airports, in addition to the problem of preserving approaches, is added the problem of taxation, aggravated by increasing land values. A statement to the committee by the California Aeronautics Commission declared:

> "There can be no permanence in privately-owned commercial airports and no dependence placed on their availability in the future * * * The odds are strictly against private airport ownership and operation because of excessive tax burdens, mounting real estate values, insurance costs, and most important, the recurring liability to nuisance and abatement suits. These factors render it impossible to maintain an airport offering free landing facilities to the public merely to provide a place to carry on an allied business."

A number of solutions have been proposed. Some of them would be listed as:

1. Create a subdivision of the airport property and dedicate the runways and taxiways as "public ways".
2. Deed the landing area to a political subdivision with a reversion to the original owner if not maintained as an airport, original owner retaining all rights on adjoining property.
3. Provide tax relief to privately-owned airports which serve a public need.
4. Provide, if necessary by law, that commercial airports which serve the airport needs of a community and the flying public may be owned by a non-profit corporation under rigid controls and thereby be exempted from taxation.
5. Outright purchase of the entire airport by a political subdivision.

Each of the solutions has its defects. The proposal for dedication of runways as public ways was given exhaustive study at Los Angeles County. A "guinea pig" project involving the Central Airport was set up. But the owner, Mr. E. J. Kidwell, testified before the committee that the owners' interests and the county's interests were irreconciliable. He said the final proposal was to make a public way of a strip 350 feet wide through his airport, while his unproductive property totaled 52 acres. He indicated the saving would not be worthwhile.

Mr. Kidwell also criticized the second proposal, to deed the landing area to the political subdivision, on grounds the airport operator would be hampered in developing the property. Also, the city or other political subdivision would have no return for its expense in maintaining the landing area.

Outright tax exemption would be unpopular and in these days of heavy tax burdens the trend should be away from tax exemptions, rather than toward granting new ones. Mandatory public purchase of airports hardly would be feasible to enforce. But public ownership eventually will become imperative if privately-owned airports continue to disappear.

This situation emphasizes the futility of allowing private airports to go out of business, only to be replaced anyway by public ones.

It is suggested that further legal study be made of the ramifications of non-profit operation of airports which have a public purpose. That approach has been used in other states for the continued operation of municipal airports where the city no longer desired to remain as the operator. It should be determined whether there would be a similar advantage in the case of private airports.

RECOMMENDATIONS

The committee recommends:

1. That the segregation of uncollected motor vehicle fuel tax refunds by the Controller be continued. That the Controller be directed to hold such unrefunded money subject to appropriation by the Legislature. That the Legislature declare its intention to apply the funds to the construction, in cooperation with Federal and local Governments, of a State-wide System of Airports.

2. That the Legislature substitute an "in lieu" tax for the present ad valorem tax as it applies to airplanes other aircraft flying in interstate or foreign commerce or by scheduled airlines; that the Legislature set a schedule of values of aircraft for taxation purposes based on original purchase price decreased by a scale of percentages depending on the age of the aircraft, that the tax be collected by the Department of Motor Vehicles; that the Controller disburse the funds collected among cities and counties and the cities and counties be directed to use the money solely for aviation purposes.

3 That the owner of each private aircraft be required to register with the Department of Motor Vehicles the certificate of registration issued to him by the Civil Aeronautics Administration of the Federal Government; that a small fee be charged by the department for such registration.

4. That the Attorney General be requested to make a thorough legal study of the use of the method of inverse condemnation as a means of protecting the approaches of airports in California.

5. That the Regents of the University of California be urged to formulate an adequate program of research into the agricultural uses of aircraft, and to submit a plan for such program and its estimated cost to the Legislature. Such a program should include studies of the application of insecticides, herbicides, fertilizers, grains, and grasses, and the emergency feeding of livestock by airplane.

6. That the present program of flight indoctrination carried on by the State Department of Education be maintained and expanded.

EARL W. STANLEY
RALPH M. BROWN
L. STEWART HINCKLEY
LESTER A. McMILLAN
LAUGHLIN E. WATERS

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Dorothy Donahoe of Bakersfield, Dr. Dorothy Patterson of Sacramento, and Mrs. Katherine Adams Stoll of Los Angeles.

On request of Mr McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Francis Wallace and Malvean Wright of San Francisco.

On request of Mr Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Louis T. Talbot of Los Angeles.

On request of Messrs. Porter and Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Jim Kosababian of Artesia.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Rosalind Goodrich Bates, Marie Dinuzzo, Irene Doup, Elsie Brown, Hazel Kellans, Lillian Blank, Dolly Lee Butler of Los Angeles; Ruth Hughes Rosemenad, Mildred Hutchinson, San Francisco; Marie Jeannerette, Pasadena; Ethel Winters, Ruth Sutton, Sacramento; and Rowena Cornet, Riverside.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to German Governmental Affairs Training Group from University of Southern California under State Department Sponsorship. Group under direction of Dr. W. L. Hindman, head of Department of Political Science, U. S. C., and the following pupils: Walter Böhm, Fredrich Drewes, Ewald Herden, Hermann Lahr, Werner Kelm, Georg Ohnesorg, Wolfgans Rutschke, Erika Roemer, Klaus Unverzagt, Hans Muencks, and Georg Muenchmeier.

On request of Mr. Evans and the Los Angeles delegation, the usual courtesies of the Assembly for this day were unanimously extended to Marty Schwartz of Los Angeles.

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Park Hancher of Berkeley.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Evelyn Atwood of Glendale, Marie Nolan of Whittier, Ellen C. Neilan of Alhambra, and Gloria Sodres of Sacramento.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Roy Harwood, Milford; Frank Evans, Chilcoat; George Conant, Portola; and Rudolph Ramelli, Vinton.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Ruth W. Fuller of Fort Bragg.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Dewitt C. Gardner of Pittsville, Massachusetts.

ADJOURNMENT

At 3.45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned, until 10 a.m., Tuesday, January 23, 1951, out of respect to the memory of the late Mrs. Edna May Butters, wife of Assemblyman George R. Butters of Brawley.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 23, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Heavenly Father, In whom we live and move and have our being, we humbly pray that we may be guided by Thee in all the cares and occupations of our daily lives.

We seek Thy guidance for the deliberations of this Assembly and Thy providential care while we are separated one from the other.

We pray for the President of the United States, the Governor of our Commonwealth, the presiding officer of this Assembly and all who serve in places of great responsibility.

We pray for our fellow member, hospitalized through accident, that his recovery may be blessed of Thee. We pray for all who serve in our Armed Forces. We pray for Thy presence and Thy peace.

"O Lord our God, Thy mighty hand hath made our Country free;
From all her broad and happy land, may worship rise to Thee."

—AMEN.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS ATTENDING MEETING OF SUBCOMMITTEE ON ELECTIONS AND REAPPORTIONMENT BE PLACED UPON MORNING ROLL CALL

Mr. Connolly asked for, and was granted, unanimous consent that members attending the Subcommittee on Elections and Reapportionment, in Room 426, be ordered placed upon the morning roll call as follows: Messrs. Burke, Burkhalter, Coats, Hinckley, Parker, and Tomlinson.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS ATTENDING MEETING OF COMMITTEE ON RULES BE PLACED UPON MORNING ROLL CALL

Mr. Connolly asked for, and was granted, unanimous consent that members attending a meeting of the Committe on Rules be placed upon the morning roll call as follows: Messrs. Crowley, Dickey, Dolwig, Doyle, Dunn, Evans, Geddes, Hollibaugh, Lyon, Maloney, McCollister, McMillan, and Waters.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 4.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 22.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 22—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 35.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FINAL REPORT BE PRINTED IN THE JOURNAL

Mr. Connolly asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Public Health be ordered printed in the Journal in 10-point type.

(Above letter of transmittal and final report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT BE PRINTED AS SEPARATE DOCUMENT, AND THAT 500 ADDITIONAL COPIES BE PRINTED

Mr. Connolly asked for, and was granted, unanimous consent that the above mentioned final report be printed as a separate document, and that 500 additional copies be ordered printed.

RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

House Resolution No. 58

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized to receipt for any warrants for members, officers, or attaches of the Assembly during the constitutional recess.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 58, at this time, without reference to committee or file.

Resolution read, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2725: By Mr. Lyon—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability.

Referred to Committee on Judiciary.

Assembly Bill No. 2726: By Mrs. Niehouse—An act to amend Sections 3083 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 2727: By Mr. Stewart—An act to amend Sections 5, 14, 29, 34, and 35.3, and to repeal Sections 12 and 33 of the Community Redevelopment Act, relating to redevelopment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2728: By Mr. Levering—An act to amend Sections 150, 201, and 207 of the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "location", and insert "state institution".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert

"13115 Whenever a state building or other state structure is about to be constructed and it is necessary to clear any land, public street or public way of any easement or right of way, or the works of any public utility, which would interfere with the state building or structure, the Director of Finance may enter into an agreement with the owner of the easement or right of way, or public utility, for the relocating or removal of any facilities of such public utility or owner which lie in, on, along, or across such land, public street or public way and for the conveying or quitclaiming to the State of any interest of such utility or owner in such land, public street or public way The cost of such removal or relocation may be paid, with the approval of the State Public Works Board, out of any money available for the construction of the state building or other structure the erection of which necessitates such relocation or removal. Nothing in this section authorizes the relocation or removal at state expense of any public utility works or other facilities which, under the same circumstances, the public utility or owner would be required to relocate or remove at its own expense."

Amendment No. 2

On page 2, line 1, of the printed bill, after "works," insert "or easements or rights of way".

Amendment No. 3

On page 2, line 2, of the printed bill after "the", insert "land.".

Amendment No. 4

On page 2, line 3, of the printed bill, after "works", insert ", easements or rights of way".

Amendment No. 5

On page 2, line 5, of the printed bill, after "works", insert "or easements or rights of way".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2729: By Messrs. Moss and Fleury—An act to amend Section 395 of the Military and Veterans Code, relating to military service in the Armed Forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 2730: By Messrs. Fleury and Moss—An act to amend Section 20630 of the California State Employees' Retirement Law, relating to withdrawal of additional contributions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2731: By Messrs. Fleury and Moss—An act to repeal Sections 16390, 16391, 16392, 16393, 16394, 16395, and 16396 of the Government Code, relating to the State Payroll Revolving Fund.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2732: By Mr. Thomas—An act to amend Section 1071 of the Fish and Game Code, relating to commercial regulations.

Referred to Committee on Fish and Game.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Nelson, Executive of the United Airlines, has offered to make arrangements for a special plane to Los Angeles early tomorrow morning if the demand for this service is adequate. All members wishing to avail themselves of this special service are requested to notify, immediately, Miss Kay Johnson, Secretary to the Speaker, so that arrangements for a plane may be completed at once.

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 46

By Messrs. Gaffney and Maloney:

House Resolution No. 46

Relative to adjournment in memory of Alexander Watchman

WHEREAS, It is with profound regret that the Members of the Legislature have learned of the passing of Alexander "Sandy" Watchman on January 14, 1951; and

WHEREAS, Alexander Watchman has for the greater portion of his life devoted himself untiringly to the problems of the workingman; and

WHEREAS, Alexander Watchman has been a member of the United Carpenters since May 2, 1910, and a member of the San Francisco Carpenters' Local 2164 since 1931, and has served as financial secretary and business representative of that local, and as President of the San Francisco Building Trade Council from 1937 until 1941, and has served with the California Federation of Labor until 1941; and

WHEREAS, From 1941 until his passing Alexander Watchman has served as a member of the California Industrial Accident Commission, and has, during such service, sought to have the State Workmen's Compensation Laws administered fairly and impartially and has worked diligently to have them liberalized; and

WHEREAS, It can be truly said of Alexander Watchman that he faithfully served his fellow men and his Country; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of Alexander Watchman and most sincere sympathy for his widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of Alexander Watchman; and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Alexander Watchman, the widow of Alexander Watchman, and to Maud Switzler, his daughter, Beryl Emory, his granddaughter, and to the San Francisco Building and Construction Trades Council.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 49

By Mr. Davis:

House Resolution No. 49

Expressing condolences on the passing of James H. McClelland

WHEREAS, It is with regret that the Members of the Assembly have learned of the passing on August 10, 1950, of James H. McClelland, Lassen County Supervisor; and

WHEREAS, James H. McClelland was a prominent rancher in Lassen County, a supervisor for that county for the past 24 years, and one of the organizers and a Director of the Lassen Production Credit Association, and has taken an active part in the Lassen County Livestock Show from its beginning; and

WHEREAS, James H. McClelland has a long and splendid record of civic activity in Lassen County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of James H. McClelland and most sincere sympathy for his bereaved widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of James H. McClelland; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. James H. McClelland, his widow, and to Pierce McClelland of Standish, Bernard McClelland of Susanville, and Mrs Merlyn Mulroney of Susanville, his children.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 53

By Mr. Cloyed:

House Resolution No. 53

Relative to the eightieth birthday of the Honorable Charles W. Stream

WHEREAS, The Honorable Charles W Stream was first elected to this Assembly from the Eightieth Assembly District in 1932 and represented that district in this house for seven consecutive terms; and

WHEREAS, The Honorable Charles W. Stream brought to this Assembly a wide knowledge of practical affairs and a keen mind capable of penetrating into the heart of any proposal to discover its virtue or defects; and

WHEREAS, His never failing sense of humor and his ready wit endeared the Honorable Charles W Stream to all of his colleagues, while his profound human wisdom, common sense and natural judgment so won their respect that he came to be called "the Sage of Chula Vista"; and

WHEREAS, The Honorable Charles W. Stream will on February 4th celebrate his eightieth birthday, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby sends its greetings to the Sage of Chula Vista, its best wishes for many more happy birthdays, and its hope that his well-earned retirement will be both pleasant and prolonged, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Honorable Charles W. Stream.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 54

By Mr. Davis:

House Resolution No. 54

Relative to Fred M. Wolford, late Supervisor of Siskiyou County

WHEREAS, The Members of this Assembly have learned with great sorrow of the passing of Fred M. Wolford, Supervisor of Siskiyou County; and

WHEREAS, Fred M Wolford was the son of the late John M and Margaret C. Wolford, pioneer settlers of Scott Valley; and

WHEREAS, Fred M. Wolford was born at the family ranch on the Etna-Callahan Road on May 17, 1886, grew to manhood in that district, and with his wife, Evelyn, made their home at the family ranch; and

WHEREAS, Fred M. Wolford was a director of the California Cattlemen's Association from his district for many years, and won the respect and admiration of his fellow citizens for his efforts in behalf of Siskiyou County as a supervisor, as a rancher, and as a citizen; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the passing of Fred M. Wolford and the loss to the people of Siskiyou County and of this State of his fine and devoted public service, and extend deepest sympathy to his widow, Mrs. Evelyn Wolford; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs Evelyn Wolford

Resolution read, and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2733: By Mr. Thomas—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment.

Referred to Committee on Fish and Game.

Assembly Bill No. 2734: By Mr Thomas—An act to amend Section 450.5 of the Fish and Game Code, relating to diving.

Referred to Committee on Fish and Game.

Assembly Bill No. 2735: By Mr Thomas—An act to add Section 953.5 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2736: By Mr. Thomas—An act to amend Section 847 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2737: By Messrs. Thomas and Gaffney—An act to add Part 5.5 to Division 5 of the Labor Code, relating to safety standards for longshore, stevedore and waterfront warehouse operations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2738: By Mr. Levering—An act to add Section 4664 to the Labor Code, relating to workman's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2739: By Mr. Levering—An act to amend Sections 3208 and 4663 of the Labor Code, and to add new sections 3600.5 and 3600.6 to said code, all relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2740: By Mr. Henderson—An act to add Article 1.5, comprising Sections 2520 to 2523, inclusive, to Chapter 2 of Division 4 of the Welfare and Institutions Code, relating to the relief of nonresident agricultural workers and their families.

Referred to Committee on Agriculture.

Assembly Bill No. 2741: By Mr. Henderson—An act to add Division 3.5 to Labor Code, creating the California Agricultural Labor Resources Board, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2742: By Mr. Connolly—An act to add Section 205.5 to the Welfare and Institutions Code, relating to the establishment and maintenance of alcoholic rehabilitation clinics and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 2743: By Mr. Babbage—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2744: By Mr. Connolly—An act to add Section 17161.2 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2745: By Messrs. Rosenthal and Munnell—An act to add Section 472 to the Government Code, relating to congressional districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2746: By Messrs. Rosenthal and Munnell—An act to add Section 492 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2747: By Mr. Smith—An act to amend Section 7.5 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the operation of temporary and emergency housing facilities for veterans.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2748: By Messrs. Chapel and Thomas—An act to add Section 13.5 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2749: By Messrs. Chapel and Thomas—An act to provide for the number of judges in judicial districts in which municipal courts are established.

Referred to Committee on Judiciary.

Assembly Bill No. 2750: By Mr. Connolly—An act to add Section 17688 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2751: By Mr. Connolly—An act to amend Section 13642 of the Revenue and Taxation Code, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2752: By Mr. Munnell—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records.

Referred to Committee on Judiciary.

Assembly Bill No. 2753: By Messrs Shaw and Brown—An act to amend Section 230 of the Penal Code, relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2754: By Messrs Shaw and Brown—An act to amend Section 233 of the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 2755: By Messrs. Shaw and Brown—An act to amend Section 115 of the Code of Civil Procedure, relating to justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2756: By Messrs. Shaw and Brown—An act to amend Section 70 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2757: By Messrs. Shaw and Brown—An act to amend Section 1091 of the Government Code, relating to courts of justice, judicial districts, and various officers and employees thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2758: By Messrs. Shaw and Brown—An act to amend Section 83 of the Code of Civil Procedure, relating to courts of justice, various officers connected therewith, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2759: By Messrs. Shaw and Brown—An act to amend Section 396b of the Code of Civil Procedure, relating to place of trial of civil actions.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 23: By Mr. Condon—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Request for Unanimous Consent

Mr. Condon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 23, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23

Assembly Concurrent Resolution No. 23—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Burkhalter, Caldecott, Coats, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Geddes, Hagen, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lyon, Maloney, McCollister, McMillan, Meyers, Tomlinson, and Waters—24

Further Proceedings Under Call of the Assembly Dispensed With on Assembly Concurrent Resolution No. 23

At 10.45 a.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

Motion to Place Rush Order on Printing of Assembly Concurrent Resolution No. 23

Mr. Condon moved that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 23.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the Third Annual Y. M. C. A. Youth and Government Model Legislature be

permitted to use the Assembly Chamber on Thursday, Friday and Saturday, February 22, 23, and 24, 1951, for the purpose of holding a statewide convention, unless the Assembly Chamber is needed for a legislative session.

STATEMENT BY HON. SAM L. COLLINS, SPEAKER

The Assembly Journal of January 22, 1951, containing the names, authorizations, and monthly statements of legislative advocates was printed at a cost of $1,500. This contains approximately 150 names of registered advocates. At this rate it costs $10 per advocate. If all of this information is required to be printed monthly while the Legislature is in session, it will require 400 pages per month which will cost $1,200 per month. This will require printing of five Journals, which will be a total of $6,000. Also assuming that a minimum of 200 advocates continued filing monthly statements during the time the Legislature is not in session until they return at the Budget Session in 1952, this will require 3,600 pages to be printed in the Journal at the Budget Session at a cost of approximately $11,000. Therefore, the total cost of one year's operation under the present system would amount to $17,000.

If merely the name of the advocate and whom he is authorized to represent were to be printed in the Journal, it could be done for approximately $150 per year, a total savings of $16,850.

MOTION TO TEMPORARILY SUSPEND RULE NO. 37

Mr. Brown moved that Rule No. 37 be temporarily suspended for the purpose of allowing bills from the office of the Attorney General to be introduced, at this time.

The roll was called, and Rule No. 37 temporarly suspended by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2760: By Messrs. Belotti, Levering, Berry, Chapel, Clarke, Collier, Connolly, Erwin, Fleury, Gubser, Hansen, Henderson, Kelly, and McFall—An act to add Section 1418 to the Fish and Game Code, relating to giving aid to persons accidentally shot.

Referred to Committee on Judiciary.

Assembly Bill No. 2761: By Mr. Davis—An act to add Sections 10207 5 and 10270 56 to the Insurance Code, relating to group life and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2762: By Mr. Davis—An act to add Section 924 to the Labor Code to prohibit requiring participation in a hospital insurance plan as a condition of employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2763: By Mr. Davis—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2764: By Messrs. Davis and Moss—An act to add Section 87.3 to the Agricultural Code, relating to boards of directors of agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2765: By Messrs. Davis and Moss—An act to repeal Sections 19622, 19622.5, 19623, 19624, 19625 and 19626 of, and to add Section 19622 to, the Business and Professions Code, relating to allocation of state money to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2766: By Messrs. Hahn, Grant, Morris, Conrad, Erwin, Luckel, Mrs. Niehouse, Messrs. Porter, Smith, Stanley, Stewart, and Thomas—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2767: By Messrs. Hahn, Grant, Morris, Conrad, Erwin, Luckel, Mrs. Niehouse, Messrs. Porter, Smith, Stanley, Stewart, and Thomas—An act to amend Section 26 of the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2768: By Messrs. Fleury, Coats, and Moss—An act to add Chapter 1.5 (consisting of Sections 20161 to 20164, inclusive) to Division 10 of the Education Code, relating to the McGeorge College of Law, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 2769: By Messrs. Fleury and Moss—An act to amend Section 18802 of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 59

WHEREAS, Various Members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing, and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of Wilkie Ogg, Sergeant-at-Arms, in an amount not to exceed fifteen hundred dollars ($1,500), and the State Treasurer is hereby authorized to pay the same. The Sergeant-at-Arms of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 59, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

By Mr. Dickey:

House Resolution No. 60

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is authorized and directed to pay the same:

Bancroft Whitney Company (Codes)	$15,184 26
Department of Finance (Supplies)	437 89

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 60, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 24
Senate Bill No. 25
Senate Bill No. 120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

Speaker pro Tempore Presiding

At 10.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 22, 1951

To the Honorable Members of the Assembly of the State of California

GENTLEMEN: In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a Report of the Cases of Pardon, and Commutation of Sentence issued by me from March 6, 1950, to January 8, 1951.

Respectfully submitted,

EARL WARREN, Governor

ACTS OF EXECUTIVE CLEMENCY OF CALIFORNIA

Granted for Period March 6, 1950, to January 8, 1951

PARDONS

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

FRANCISCO AUGVE, San Quentin No. 36562, was convicted of the crime of burglary first degree in San Diego County during June, 1922. He served approximately 1 year and 1 month in prison and approximately 8 months on parole, being discharged therefrom on March 18, 1924. Certificate of rehabilitation issued March 31, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

WILLIAM FINES AUSTIN, San Quentin No. 61742, was convicted of the crime of assault with a deadly weapon (2 counts) in Los Angeles County during March, 1938. He served 2 years and 2 months in prison and 1 year and 6 months on parole, being discharged therefrom on December 2, 1941. Certificate of rehabilitation issued December 23, 1946, by the Superior Court of the City and County of San Francisco. Granted December 9, 1950.

CLOYDE LYLE BARNHART, San Quentin No. 55736 and Folsom No. 21911, plead guilty to the crime of burglary second degree in Los Angeles County during March, 1934. He served approximately 2 years and 6½ months in prison, being discharged therefrom on October 12, 1936. During September, 1938, Barnhart plead guilty to the crime of burglary second degree and prior (2 counts) in Los Angeles County. He served approximately 2 years and 2 months in prison and approximately 1 year and 5 months on parole, being discharged therefrom on April 9, 1942. Certificate of rehabilitation issued September 29, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

LESLIE D. BIRCH, San Quentin No. 51629, plead guilty to the crime of burglary second degree in Solano County during February, 1932. He served 1 year and 6 months in prison and 1 year and 6 months on parole, being discharged therefrom on February 26, 1935. Certificate of rehabilitation issued April 30, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

A. P. BRACKLIS, San Quentin No. 34999, was convicted of the crime of embezzlement in Sacramento County during June, 1921. He served approximately 1 year and 1½ months in prison and approximately 10½ months on parole, being discharged therefrom on June 5, 1923. Certificate of rehabilitation issued January 31, 1947, by the Superior Court of Kings County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 3, 1950.

DOROTHY ALICE DONEGAN, Tehachapi No. 431, was convicted of the crime of murder second degree in Los Angeles County during December, 1938. She served approximately 3 years and 10½ months in prison and approximately 10½ months on parole, being discharged therefrom on September 8, 1943. Certificate of rehabilitation issued November 27, 1946, by the Superior Court of Los Angeles County. Granted April 7, 1950.

JESS Z. FERAN, San Quentin No. 66053, plead guilty to the crime of burglary second degree and prior in Ventura County during January, 1941. He served approximately 1 year and 3½ months in prison and approximately 5 years and 1 month on parole, being discharged therefrom on June 24, 1947. Certificate of rehabilitation issued January 14, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

FRED FISHER, Folsom No. 9934, was convicted of the crime of robbery in Sacramento County during February, 1916. He served approximately 3 years and 8 months in prison and approximately 5½ months on parole, being discharged therefrom on March 29, 1920. Certificate of rehabilitation issued July 12, 1948, by the Superior Court of the City and County of San Francisco. Granted January 6, 1951.

STANLEY P. GLEASON, San Quentin No. 41257, plead guilty to the crime of robbery second degree in the City and County of San Francisco during September, 1925. He served two years in prison and 7 years and 5 months on parole, being discharged therefrom on February 16, 1935. Certificate of rehabilitation issued January 18, 1949, by the Superior Court of the City and County of San Francisco. Granted January 6, 1951.

SANTIAGO GONZALES, San Quentin No. 47032, plead guilty to the crime of grand theft in Imperial County during May, 1929. He served approximately 1 year and 3½ months in prison and approximately 1 year and ½ month on parole, being discharged therefrom on September 14, 1931. Certificate of rehabilitation issued June 30, 1948, by the Superior Court of Alameda County. Granted December 9, 1950.

EDWARD HARBOUGH, San Quentin No. 49263, plead guilty to the crime of burglary first degree in Los Angeles County during November, 1930. He served 2 years and 8 months in prison and 1 year on parole, being discharged therefrom on July 8, 1934. Certificate of rehabilitation issued June 16, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 6, 1951.

ELWOOD HOWARD HIGGINS, San Quentin No. 57894, plead guilty to the crime of violation of Section 523 of the Penal Code in El Dorado County during July, 1935. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on February 25, 1939. Certificate of rehabilitation issued March 18, 1949, by the Superior Court of El Dorado County. Granted January 6, 1951.

LESTER MILTON HOUGHTON, San Quentin No. 59373, was convicted of the crime of violation of Section 600 of the Penal Code in Fresno County during September, 1936. He served approximately 3 years and 5 months in prison and approximately 2 years and 9 months on parole, being discharged therefrom on November 15, 1942. Certificate of rehabilitation issued March 18, 1948, by the Superior Court of Fresno County. Granted April 7, 1950.

BEN KELLER, San Quentin No. 68210, was convicted of the crimes of conspiracy to violate Sections 245, 518 and 375, subdivision 4, of the Penal Code (1 count), and violation of Section 375, subdivision 4, of the Penal Code (5 counts) in Los Angeles County during April, 1942. He served approximately 8½ months in prison, being discharged therefrom on December 31, 1942, at which time his sentences were commuted to time served by Governor Culbert L. Olson. Certificate of rehabilitation issued April 24, 1946, by the Superior Court of Los Angeles County. Granted April 7, 1950.

GEORGE ERNEST KLEIST, San Quentin No. 64953, plead guilty to the crime of bigamy in Los Angeles County during April, 1940. He served 1 year and 7 months in prison and 1 year and 11 months on parole, being discharged therefrom on October 20, 1943. Certificate of rehabilitation issued December 4, 1946, by the Superior Court of Los Angeles County. Granted April 7, 1950.

MEYER M. KROLL, San Quentin Nos. 59391 and 65369, plead guilty to the crime of receiving stolen property in Los Angeles County during September, 1936. He served approximately 2 years and 7 months in prison and approximately 1 year on parole, being discharged therefrom on April 19, 1940. During August, 1940, Kroll plead guilty to the crime of robbery second degree in Los Angeles County. He served

approximately 2 years and 7½ months in prison and approximately 2 years and 4½ months on parole, being discharged therefrom on August 25, 1945. Certificate of rehabilitation issued October 27, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted December 9, 1950.

WILSON CALVIN LANPHEAR, San Quentin No. 56120, plead guilty to the crime of assault with intent to commit rape in Santa Clara County during May, 1934 He served 1 year and 8 months in prison and 2 years and 6 months on parole, being discharged therefrom on July 26, 1938 Certificate of rehabilitation issued April 1, 1949, by the Superior Court of Santa Clara County Granted December 9, 1950

MANUEL LIEVAS, San Quentin No. 53826, was convicted of the crime of rape in Orange County during March, 1933 He served 7 years and 5 months in prison and 2 years on parole, being discharged therefrom on August 16, 1942. Certificate of rehabilitation issued June 23, 1948, by the Superior Court of Los Angeles County. Granted July 3, 1950.

HAROLD MAY, San Quentin No 54764, was convicted of the crime of burglary second degree and prior in Alameda County during October, 1933 He served approximately 1 year and 9½ months in prison and approximately 1 year and 9½ months on parole, being discharged therefrom on May 6, 1937. Certificate of rehabilitation issued December 30, 1947, by the Superior Court of Alameda County Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

FRANCIS E. McCLENNEGAN, San Quentin No 38125, was convicted of the crime of criminal syndicalism in Los Angeles County during July, 1923. He served approximately 1 year and 9½ months in prison and approximately 1 year and 4½ months on parole, being discharged therefrom on September 12, 1926 Certificate of rehabilitation issued February 26, 1947, by the Superior Court of the City and County of San Francisco Granted April 7, 1950.

COLIN McLANE, San Quentin No. 51849, plead guilty to the crime of burglary second degree in San Diego County during March, 1932 He served 2 years and 4 months in prison, being discharged therefrom on July 27, 1934 Certificate of rehabilitation issued September 8, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

ANTONE MENDOZA, San Quentin No 46579, was convicted of the crime of possession of a still in Alameda County during February, 1929. He served approximately 1 year and 1½ months in prison and approximately 1 year and 2 months on parole, being discharged therefrom on June 8, 1931. Certificate of rehabilitation issued July 23, 1948, by the Superior Court of Alameda County. Granted January 6, 1951

FRANK NORDHOFF, San Quentin No 36899, was convicted of the crime of robbery in Los Angeles County during September, 1922 He served approximately 12 years and 2½ months in prison and approximately 1 year and 11 months on parole, being discharged therefrom on November 18, 1936 Certificate of rehabilitation issued April 2, 1947, by the Superior Court of Alameda County. Granted April 7, 1950

GEORGE PEEBLES, San Quentin No 63784, plead guilty to the crime of robbery first degree in Los Angeles County during July, 1939. He served 2 years and 2 months in prison and 2 years on parole, being discharged therefrom on September 15, 1943. Certificate of rehabilitation issued December 28, 1949, by the Superior Court of Los Angeles County Granted January 3, 1951.

LESLIE I PETERSON, San Quentin No 52783, plead guilty to the crime of burglary second degree and prior in Los Angeles County during September, 1932 He served approximately 2 years and 3½ months in prison and approximately 1 year and 4½ months on parole, being discharged therefrom on April 8, 1936. Certificate of rehabilitation issued December 12, 1947, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted July 3, 1950.

EDDIE QUINONES, San Quentin No 56629, was convicted of the crime of violation of Section 1, Chapter 339, Statutes of 1923, and prior, in the City and County of San Francisco during September, 1934. He served approximately 3 years and 11½ months in prison, being discharged therefrom on January 19, 1938. Certificate of rehabilitation issued April 30 1948, by the Superior Court of Marin County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

ALFRED RICHETTI, San Quentin No 55030, plead guilty to the crime of receiving stolen property in the City and County of San Francisco during November, 1933 He served 1 year and 11 months in prison and 1 year and 8 months on parole, being discharged therefrom on June 24, 1937. Certificate of rehabilitation issued April 8, 1949, by the Superior Court of the City and County of San Francisco Granted January 6, 1951.

LEE W. RODWELL, San Quentin No 60245, plead guilty to the crime of robbery first degree (2 counts) in Los Angeles County during April, 1937. He served approximately 3 years and 4 months in prison and approximately 2 years on parole, being discharged therefrom on August 17, 1942. Certificate of rehabilitation issued April 4, 1950, by the Superior Court of Imperial County. Granted July 3, 1950

RALPH V SAVAGE, San Quentin No. 60349, was convicted of the crimes of bribery and burglary second degree in Los Angeles County during March, 1936 He served approximately 2 years and ½ month in prison and 1 year and 11 months on parole, being discharged therefrom on May 23, 1941. Certificate of rehabilitation issued March 1, 1944, by the Superior Court of Los Angeles County. Granted April 7, 1950.

DONALD C. SAWYER, San Quentin No. 48309 and Folsom No. 18727, plead guilty to the crime of forgery and prior in Los Angeles County during March, 1930. He served approximately 2 years and 3½ months in prison, being released therefrom on July 12, 1932; he served on parole until October 7, 1933, at which time he was returned to state prison as a parole violator with an additional commitment for the crime of forgery (2 counts). He served approximately 3 years and 8 months in prison and approximately 1 year and 1½ months on parole, being discharged therefrom on July 7, 1938. Certificate of rehabilitation issued August 27, 1947, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

JAMES H. SCHAUER, Folsom No 20239, plead guilty to the crime of burglary second degree and prior in San Bernardino County during March, 1936 He served approximately 5 years and 1½ months in prison, being discharged therefrom on May 8, 1941. Certificate of rehabilitation issued January 15, 1947, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted April 7, 1950.

CHARLES L THOMPSON, San Quentin No. 50606, plead guilty to the crime of robbery first degree in Los Angeles County during July, 1931. He served approximately 5 years and 9½ months in prison, being discharged therefrom on May 18, 1937. Certificate of rehabilitation issued January 26, 1949, by the Superior Court of Alameda County. Granted January 6, 1951.

MARK OSCAR TORRENCE, San Quentin No. 33692, plead guilty to the crime of burglary second degree in Los Angeles County during April, 1920 He served 1 year in prison and 1 year and 4 months on parole, being discharged therefrom on August 23, 1922. Certificate of rehabilitation issued March 17, 1948, by the Superior Court of Los Angeles County. Granted January 6, 1951.

W. B TURNER, San Quentin No. 62257, plead guilty to the crime of issuing checks without sufficient funds with intent to defraud in Sacramento County during January, 1938. He was granted three years probation, with the condition that he serve seven months in the Sacramento County Industrial Road Camp. Probation was revoked as a result of his having been charged with issuing checks without sufficient funds with intent to defraud during July, 1938 He served 3 years and 3 months in prison, being discharged therefrom on October 21, 1941 Certificate of rehabilitation issued April 23, 1947, by the Superior Court of Alameda County. Granted April 7, 1950.

DEWITT VAN ORSDOL, San Quentin No 33553, was convicted of the crime of burglary first degree in Los Angeles County during March, 1920. He served approximately 1 year and 6 months in prison and approximately 2 years and 1 month on parole, being discharged therefrom on October 10, 1923. Certificate of rehabilitation issued July 8, 1949, by the Superior Court of Los Angeles County. Granted January 6, 1951.

JOHN VIERRA, San Quentin No. 59378, was convicted of the crime of violation of Section 286 of the Penal Code in Contra Costa County during September, 1936. He served 3 years and 7 months in prison, being discharged therefrom on April 15, 1940. Certificate of rehabilitation issued June 25, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

HENRY WORLEY, San Quentin No. 31340, pleaded guilty to the crime of assault with a deadly weapon in Inyo County during February, 1918 He served 1 year in prison, being discharged therefrom on February 9, 1919. Certificate of rehabilitation issued May 28, 1948, by the Superior Court of Stanislaus County. Granted January 6, 1951.

ERNEST C. YANEZ, San Quentin No 64031, plead guilty to the crime of violation of Section 503 of the Vehicle Code in Los Angeles County during September, 1939. He served approximately 2 years and 6½ months in prison, being discharged therefrom on March 19, 1942 Certificate of rehabilitation issued February 25, 1948, by the Superior Court of Los Angeles County. Granted July 3, 1950.

PARDONS

Granted without reference to Chapter 3 5, Sections 4852 01 to 4852.2 of the Penal Code, after favorable recommendation.

PAUL BARQUERA, also known as JOHN MONTESANO, and RAUL CARRANZA BARQUERA, and PAUL GONZALES, Los Angeles Police Department Number 25969-M-1, plead guilty to the crime of petty theft in Los Angeles County on August 4, 1933. He served sixty days in the Los Angeles City Jail. Paul Barquera is subject to deportation to Mexico. Pardon recommended by the Adult Authority. Granted April 7, 1950.

ANSON CLIFFORD EMPEY, Alameda County Jail No. 11619, plead guilty to the crime of contributing to the delinquency of a minor in Alameda County during February, 1928 He served three months in the Alameda County Jail. Empey has been deported to Canada. Pardon recommended by the Adult Authority. Granted December 9, 1950.

FRED JOHNSON, also known as ALFRED E. WAIGHT, San Quentin No. 35910 and Folsom No. 12033, plead guilty to the crime of burglary second degree in Sacramento County during January, 1922 He served 6 years and 6 months in prison, being discharged therefrom on July 27, 1928. Pardon recommended by a majority of the Justices of the California Supreme Court, J. V. Hicks, Chief of Police, Sacramento, and the Adult Authority Granted December 9, 1950.

ROBERT MINER, San Quentin No. 62805 and Folsom No. 23756, plead guilty to the crimes of robbery second degree, grand theft, and kidnapping in Imperial County during December, 1938. He served approximately 2 years and 1½ months in prison, until February 3, 1941, on which date he escaped He was arrested on February 4, 1941, in Los Angeles County, and returned to Folsom prison to complete his sentence, and all credits earned or to be earned were forfeited on his original term. He served 3 years and 2½ months in prison, being released therefrom on April 17, 1944, on a Special Service Parole, pursuant to Chapter 396, Statutes of 1943. He served approximately 3 years and 5½ months on parole, being discharged therefrom on September 26, 1947. Pardon recommended by Fred Finsley, Chief State Parole Officer, and the Adult Authority. Granted December 9, 1950

ABELARDO NORRIEGA, San Quentin No. 41644, plead guilty to the crime of violation of Section 288 of the Penal Code in San Diego County during January, 1926. He served approximately 9 years and 5½ months in prison and 5 years on parole, being discharged therefrom on July 24, 1940. Pardon recommended by Clifford E. Peterson, former Chief of Police of San Diego, and the Adult Authority. Granted December 9, 1950.

MIGUEL SANTIBANEZ, San Diego County Jail No. 23687, was convicted of the crime of petty theft in San Diego County on August 29, 1927. He served six months in the San Diego County jail Miguel Santibanez is subject to deportation to Mexico. Pardon recommended by the Advisory Pardon Board. Granted July 3, 1950

COMMUTATION OF SENTENCE

LOWELL DAVIS, San Quentin Nos 45799 and 45861, plead guilty to the crimes of murder first degree and robbery first degree in Fresno County during July, 1928, and received a life sentence. He served 13 years and 4½ months in prison or until his release on parole, which was December 15, 1941. Commutation of sentence to time served recommended by James M. Thuesen, District Attorney of Fresno County, Chas R. Barnard, Presiding Justice, District Court of Appeal, Fourth Appellate District, Fresno, who was trial judge in this case; Fred Finsley, Chief State Parole Officer, and the Adult Authority. Commutation of sentence to time served granted July 3, 1950.

ANNOUNCEMENTS

Mr. Rosenthal announced that he is holding a Bonus Bill at his desk, and any member desiring to place his name upon the bill as a co-author may come to his desk now, and affix his signature.

Mr. McCollister announced that he is holding several bills at his desk, relating to bond issues and to loans for home and farm purposes, so that members desiring to be co-authors may come to his desk to sign their names.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Senate on January 19, 1951, after "building", insert "or such other funds as are available to the State Department of California Highway Patrol for the purpose".

Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert "Any state agency authorized to invest funds under its control and the State Department of California Highway Patrol are hereby authorized to enter into the above agreement.

Whenever under any general or special statute the Director of Finance is authorized to invest the money in a special fund in the State Treasury, he is hereby authorized to invest the money in any such fund or funds for the purposes of this section. Investments by the Director of Finance under this section shall not exceed seven hundred thousand dollars ($700,000) in the aggregate. Any such investment shall be made pursuant to an agreement between the Director of Finance and the State Department of California Highway Patrol providing for the investment of such funds and the liquidation of the investment with interest at the rate agreed upon between the parties out of rental charges to be paid by the agencies using the building or from other funds available to the State Department of California Highway Patrol for such purpose."

Amendment No. 3

On page 2, line 4, of said bill, strike out "repayment of the sum invested", and insert "liquidation of the investment."

Amendment No. 4

On page 2, line 5, of said bill, after "parties", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 24

Mr. Sherwin moved that a rush order be placed upon the printing of Senate Bill No. 24.

Motion carried.

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Senate on January 19, 1951, after "building", insert "or such other funds as are available to the State Department of Motor Vehicles for the purpose."

Amendment No. 2

On page 2 of said bill, between lines 7 and 8, insert "Any state agency authorized to invest funds under its control and the State Department of Motor Vehicles are hereby authorized to enter into the above agreement.

Whenever under any general or special statute the Director of Finance is authorized to invest the money in a special fund in the State Treasury, he is hereby authorized to invest the money in any such fund or funds for the purposes of this section. Investments by the Director of Finance under this section shall not exceed five million five hundred thousand dollars ($5,500,000) in the aggregate. Any such investment shall be made pursuant to an agreement between the Director of Finance and the State Department of Motor Vehicles providing for the investment of such funds and the liquidation of the investment, with interest as the rate agreed upon between the parties, out of rental charges to be paid by the agencies using the building or from other funds available to the State Department of Motor Vehicles for such purpose."

Amendment No. 3

On page 2 of said bill, at the beginning of line 8, insert "SEC. 3."

Amendment No. 4

On page 2, line 23, of said bill, strike out "3", and insert "4".

Amendment No. 5

On page 2, line 4, of said bill, strike out "repayment", and insert "liquidation of the investment,".

Amendment No. 6

On page 2, line 6, of said bill, after "parties", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 25

Mr. Sherwin moved that a rush order be placed upon the printing of Senate Bill No. 25.

Motion carried.

Senate Bill No. 120—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Senate on January 19, 1951, strike out "in the", and insert "unappropriated".

Amendment No. 2

On page 1, line 2, of said bill, strike out "remaining".

Amendment No. 3

On page 1, lines 3 and 4, of said bill, strike out "unallocated by the State Allocation Board".

Amendment No. 4

In line 5 of the title of said bill, after "therefor", insert "declaring the urgency thereof, to take effect immediately".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 120

Mr. Sherwin moved that a rush order be placed upon the printing of Senate Bill No. 120.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT LETTERS OF TRANSMITTAL AND REPORTS BE PRINTED IN JOURNAL

Mr. Caldecott asked for, and was granted, unanimous consent that a letter of transmittal and a Final Report on the Salaries of the State Judiciary by the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees be ordered printed in the Journal in 10-point type; and that a letter of transmittal and a Final Report on Present and Recommended Salaries of State Administrative Officials by the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees be ordered printed in the Journal in 10-point type.

(Above mentioned letters of transmittal and final reports will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE PRINTED AS A SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. Caldecott asked for, and was granted, unanimous consent that the two above mentioned reports be printed as a separate document, in 10-point type, and that 500 copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2770: By Messrs. Moss and Fleury—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Judiciary.

Assembly Bill No. 2771: By Messrs. Moss and Fleury—An act to add Section 491 5 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2772: By Messrs. Fleury and Moss—An act to amend Sections 70 and 70 1 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2773: By Mr. Morris—An act relating to retirement plans and systems for public employees established by political subdivisions of the State and by departments, divisions, or agencies thereof.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2774: By Mr. Morris—An act to amend Section 39 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2775: By Mr. Morris—An act to add Chapter 1.5 to Division 8 of the Business and Professions Code, relating to the sale of personal property at auction.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2776: By Mr. Hansen—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2777: By Mr. Gubser—An act to amend Section 53.6 of, and to add Section 53.7 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2778: By Mr. Hahn—An act to add Section 1449.3 to the Education Code, relating to the State Teachers' Retirement System in respect to granting credit to members for time during which they were prevented from teaching by detention as a prisoner of war or internment by the enemy.

Referred to Committee on Education.

Assembly Bill No. 2779: By Mr. Levering—An act to amend Section 1503 of the Welfare and Institutions Code, relating to the object and purpose of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2780: By Mr. Levering—An act to add Section 1511.1 to the Welfare and Institutions Code, relating to aid to needy children and standards of adequate care therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2781: By Mr. George D. Collins—An act to amend Section 871 of the Banking Code, relating to dormant accounts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2782: By Messrs. George D. Collins and Condon—An act to amend Section 3101 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2783: By Messrs. George D. Collins, Gaffney, Condon, Berry, and Rumford—An act to add Section 6365 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2784: By Messrs. George D. Collins and Gaffney—An act to add Section 1193.5 to the Penal Code, relating to the imposition of death sentence.

Referred to Committee on Judiciary.

Assembly Bill No. 2785: By Mr. George D. Collins—An act to amend Section 7523 of the Business and Professions Code, relating to local regulation of street patrol officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2786: By Mr. Hollibaugh—An act to amend Section 6451 of the Revenue and Taxation Code relating to sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2787: By Mr. Hollibaugh—An act to amend the article heading of Article 2, Chapter 1, Part 6, Division 1, and Sections 3356, 3391, 3396, 3398, and 3403 and to repeal Sections 3392, 3393, 3394, 3395, 3397, 3399, 3400, and 3401, of the Revenue and Taxation Code, relating to real property taxation and the publication of delinquent lists.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2788: By Mr. McGee—An act to add Section 8657 to the Elections Code, relating to contest of primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2789: By Mr. McGee—An act to add Section 17021 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2790: By Mr. McCollister—An act to add Section 6a to the Alcoholic Beverage Control Act relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2791: By Mr. Evans—An act to amend Section 31676.7 of the Government Code relating to retirement.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2792: By Mr. Lyon—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 2793: By Mr. Lyon—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2794: By Mrs. Niehouse, Messrs. Crowley, and Coats—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind.

Referred to Committee on Education.

Assembly Bill No. 2795: By Mr. Crowley, Mrs. Niehouse, and Mr. Coats—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2796: By Mr. Crowley, Mrs. Niehouse, and Mr. Coats—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 2797: By Messrs. McGee and McCarthy—An act to amend Section 4663 of the Labor Code, relating to Workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2798: By Messrs. McGee and McCarthy—An act to add Section 5005 to the Labor Code, relating to filing of a release or compromise agreement.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2799: By Mr. McCollister—An act to add Article 5 to Chapter 3, Division 1 of the Streets and Highways Code, relating to roadside parks in conjunction with the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2800: By Mr. McCollister—An act to add Section 19572.5 to the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2801: By Messrs. Dickey, Rumford, Dunn, Geddes, Caldecott, Lincoln, and Sherwin—An act providing for the allocation of the State's share of funds for the construction of a tube under the estuary between Oakland and Alameda.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2802: By Messrs. Dickey, Rumford, Dunn, Lincoln, Caldecott, and Sherwin—An act to provide for funds for the construction of a tube under the estuary between Oakland and Alameda in the refinancing of the San Francisco-Oakland Bay Bridge.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2803: By Mr. Belotti—An act to amend Section 356 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2804: By Mr. Belotti—An act to amend Section 315 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2805: By Messrs. Porter, Thomas, Cooke, McCollister, and Munnell—An act to amend Section 984 of the Military and Veterans Code, relating to purchases of farms and homes by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 2806: By Mr. Brown—An act to amend Sections 3, 4, 5, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54 and 59 of and to repeal Sections 20, 35, 36, 42, 53, 55, 56 and 57 of the Parking Law of 1949, relating to off-street parking.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2807: By Mr. Brown—An act to amend Section 14290 of the Business and Professions Code, relating to trade-marks.

Referred to Committee on Judiciary.

Assembly Bill No. 2808: By Mr. Lowrey—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2809: By Messrs. Lowrey and Cloyed—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 2810: By Mr. Lowrey—An act to repeal Section 12024.4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 2811: By Mr. Lowrey—An act to add Article 8 to Chapter 3, Division 9 of the Education Code, relating to school buildings.

Referred to Committee on Education.

Assembly Bill No. 2812: By Mr. Lowrey—An act to add Chapter 4 (comprising Sections 10700 to 10728, inclusive) to Part 2, Division 2, of Title 2 of the Government Code, and to repeal Sections 13293, 13294, 13295, 13296, 13297, 13298, and 13299 of said code, creating the office of Auditor General, prescribing his powers and duties, providing for the auditing and management of the fiscal and business affairs of the State, and providing for the transfer of funds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2813: By Mr. Maloney—An act to amend the Alcoholic Beverage Control Act, by adding a new section, relating to warranty of price by suppliers.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2814: By Mr. Maloney—An act to amend the Alcoholic Beverage Control Act, by adding a new section, relating to territorial restrictions on distribution of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2815: By Mr. Maloney—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2816: By Mr. Maloney—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.55 to the Alcoholic Beverage Control Act relating to use of cartons.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2817: By Messrs. Maloney and George D. Collins—An act making an appropriation for the construction of a floral exhibit hall in the City and County of San Francisco.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2818: By Mr. Maloney—An act to amend Section 737LL of the Political Code, relating to salaries of Superior Judges in the City and County of San Francisco.

Referred to Committee on Judiciary.

Assembly Bill No. 2819: By Mr. Lowrey—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Referred to Committee on Fish and Game.

Assembly Bill No. 2820: By Mr. Maloney—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2821: By Mr. Maloney—An act to amend subdivision sixth of Section 4 of the Industrial Loan Act, relating to industrial loan companies and to correct the reference to general corporate powers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2822: By Mr. Maloney—An act to amend subdivision fifth of Section 4 of the Industrial Loan Act and/or Section 18405 of the Financial Code, relating to industrial loan companies and to extend the time of maturity on commercial paper financed.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2823: By Mr. Maloney—An act to amend subdivision first of Section 4 of the Industrial Loan Act and/or Subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18663 and 18665 of the Financial Code, relating to industrial loan companies and the power to loan and the installment investment certificates with loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2824: By Mr. Lowrey—An act to repeal Section 9808 of the Education Code, relating to the education of mentally retarded minors.

Referred to Committee on Education.

Assembly Bill No. 2825: By Mr. Lowrey—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2826: By Mr. Lowrey—An act to add Section 559 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2827: By Mr. Lowrey—An act to amend Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2828: By Mr. Lowrey—An act to amend Sec- 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2829: By Mr. Lowrey—An act to amend Section 14610 of the Education Code, relating to teachers.

Referred to Committee on Education.

Assembly Bill No. 2830: By Mr. Lowrey—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2831: By Mr. Lowrey—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Referred to Committee on Education.

Assembly Bill No. 2832: By Mr. Lowrey—An act to add Chapter 2.5, comprising Sections 18120 to 18122, inclusive, to Division 9 of the Education Code, relating to plans for school buildings.

Referred to Committee on Education.

Assembly Bill No. 2833: By Mr. Lowrey—An act making an appropriation for the establishment of a School of Aviation.

Referred to Committee on Education.

Assembly Bill No. 2834: By Messrs. Lowrey, Lindsay, and Sherwin—An act to add Article 2.5, comprising Sections 13120 to 13124, inclusive, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code, relating to sale of real property owned by the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2835: By Messrs. Lowrey, Lindsay, and Sherwin—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2836: By Messrs. Lowrey, Lindsay, and Sherwin—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2837: By Messrs. Lindsay and Gubser—An act to repeal an initiative act entitled "An act providing for daylight saving time in the State of California," approved by the electors November 8, 1949, relating to daylight saving time, and to provide for the submission of said repeal to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2838: By Mr. Lindsay—An act to add Section 547 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2839: By Mr. Lindsay—An act to add Section 4126.6 to the Public Resources Code, relating to the closure to entry of lands during the existence of an emergency resulting in an extreme fire hazard from incendiary or other causes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2840: By Messrs. Doyle and McCollister—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Referred to Committee on Public Health.

Assembly Bill No. 2841: By Messrs. Rosenthal and Hawkins—An act providing for the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State of California; defining air common carriers and providing for the supervision and regulation thereof by the Public Utilities Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2842: By Mr. Waters—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax delinquent property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2843: By Mr. Waters—An act to add Section 203.3 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2844: By Mr. Brown—An act to add Section 15002.5 to the Government Code, and to amend Section 11103 of the Health and Safety Code, relating to the organization of the Department of Justice and its constituent agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2845: By Mr. Brown—An act to amend Section 15003 of the Government Code, relating to the salary of the Deputy Director of the Department of Justice.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2846: By Mr. Brown—An act to provide for a study of procedures affecting apprehension, detection and commitment of mentally ill persons and for the study of criminal procedures in the inferior and superior courts by the Attorney General and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2847: By Mr. McMillan—An act to add Sections 308b and 308c to the Penal Code, relating to cigarette vending machines.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2848: By Mr. Rosenthal—An act to add Part 13, comprising Sections 30000 to 30743, inclusive, to the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2849: By Mr. Lindsay—An act to add Part 13, comprising Sections 30001 to 30473, inclusive, to Division 2 of the Revenue and Taxation Code, imposing a tax on the distribution of tobacco products, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2850: By Mr. Lanterman (By Request)—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2851: By Mr. Lanterman (By Request)—An act to add Section 988 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2852: By Mr McCarthy—An act to repeal Sections 2189, 2190, and 2191, to amend Section 2192 and to add to Division 1, Part 4 of the Revenue and Taxation Code a new chapter to be numbered 3, all relating to the lien of taxes upon personal property, possessory interests and goods in transit.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2853: By Mr. McCarthy—An act to amend Section 1511 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2854: By Mr. Dolwig—An act to add Section 1359.1 to, and to amend Section 1362 of, the Banking Code, relating to investments for savings banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2855: By Mr. Dolwig—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2856: By Mr. Dolwig—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2857: By Mr. Dolwig—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2858: By Mr. Dolwig—An act to amend Section 5471 of, and to add Sections 5474 and 5476 to, the Health and Safety Code, relating to the financing of sanitation and sewerage systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2859: By Mr. Dolwig—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2860: By Mr. Dolwig—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2861: By Mr. Dolwig—An act to amend Sections 4786 and 6644 of the Health and Safety Code, relating to bonds of county sanitation and sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2862: By Mr. Dolwig—An act to amend Sections 19486, 19597, and 19627 of the Business and Professions Code, relating to licensing and regulating horse race meetings, creating the Recreation Fund and making an appropriation thereto.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2863: By Mr. Dolwig—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities.

Referred to Committee on Education.

Assembly Bill No. 2864: By Mr. Dolwig—An act making an appropriation for a state office building in the City and County of San Francisco.

Referred to Committee on Ways and Means.

Assembly Bill No. 2865: By Mr. Lanterman (By Request)—An act to add Section 989 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2866: By Messrs. Crowley and Maloney—An act to amend Sections 1, 2 and 4 of an act entitled "An act to aid in the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies," approved May 27, 1943, relating to the classes of tenants eligible to occupy such housing, extending the duration of the powers contained in such act, authorizing the exercise of such powers during periods of national emergency to aid in the national defense, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2867: By Messrs. Crowley and Maloney—An act to authorize cities, counties, housing authorities and other municipal corporations to acquire, operate and dispose of temporary housing projects made available by the Federal Government.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2868: By Mr. Rosenthal—An act to add Sections 9351.4 and 20012.4 to the Government Code, relating to Members of the Congress of the United States in respect to membership in State Retirement Systems.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2869: By Mr. Rosenthal—An act to amend Section 1504 of the Government Code, relating to official bonds of public officers.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2870: By Messrs. Rosenthal and Munnell—An act to amend Section 267 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2871: By Messrs. Rosenthal and Munnell—An act to amend Section 763 of the Vehicle Code, relating to penalties.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2872: By Messrs. Rosenthal and Munnell—An act to add Section 745 to the Vehicle Code, relating to records of convictions.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2873: By Messrs. Rosenthal and Munnell—An act to amend Section 735 of the Vehicle Code, relating to procedure upon arrest.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2874: By Mr. Rosenthal—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Referred to Committee on Judiciary.

Assembly Bill No. 2875: By Mr. Rosenthal—An act to amend Section 729.5 of the Welfare and Institutions Code, relating to the custody of minors by peace officers or probation officers.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2876: By Mr. Rosenthal—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2877: By Mr. Rosenthal—An act to amend Section 305 of the Vehicle Code, relating to the revocation of licenses of juvenile offenders.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2878: By Mr. Rosenthal—An act to add Section 703 to the Welfare and Institutions Code, to amend Section 1504 of the Penal Code, and to amend Sections 166, 259, and 259a of the Code of Civil Procedure, relating to writs of habeas corpus by or on behalf of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 2879: By Mr. Hawkins—An act to add Section 331.5 to the Penal Code, relating to gaming, and to gambling places.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2880: By Mr. Doyle—An act to add Section 55 8 to the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2881: By Messrs. Doyle and Geddes—An act making an appropriation from the State Highway Fund to pay the claim of Paul Manse.

Referred to Committee on Ways and Means.

Assembly Bill No. 2882: By Messrs. Caldecott, Moss, Rosenthal, Tomlinson, Fleury, Kirkwood, and Thomas—An act to add Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5, and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109, and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722, and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2883: By Mr. Caldecott—An act to amend Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2884: By Mr. Caldecott—An act to add Section 7720 to the Business and Professions Code, relating to the payment of commissions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2885: By Mr. Caldecott—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2886: By Messrs. McCollister, Dolwig, Beck, Munnell, Cooke, Crowley, Davis, Gaffney, Henderson, Levering, Moss, Stewart, and Thomas—An act to add Article 5C (First Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said First Veterans Bond Act of 1951.

Referred to Committee on Military Affairs.

Assembly Bill No. 2887: By Messrs. McCollister, Dolwig, Beck, Moss, Cooke, Crowley, Davis, Gaffney, Henderson, Levering, Maloney, Munnell, and Stewart—An act to call a special election to be held throughout the State and to be consolidated with the direct primary election or with any other state-wide election held prior to said direct primary and to provide for the submission to the electors of this State at such special election of a constitutional amendment validating and declaring effective the First Veterans Bond Act of 1951, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 2888: By Mr. Evans—An act to add Section 587d to the Penal Code, relating to malicious injuries to railroad property.

Referred to Commitee on Public Utilities and Corporations.

Assembly Bill No. 2889: By Mr. Thomas—An act to amend Sections 668, 668.5, 669, and 673 of, and to repeal Sections 670, 671, 672, 672.5, and 674 of, the Elections Code, relating to the publication of the list of precinct officers and polling places.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2890: By Messrs Thomas and Chapel—An act adding Section 5161 to the Public Resources Code, relating to the use of county parks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2891: By Messrs. Thomas, Porter, and Chapel—An act to provide for the number of judges in judicial districts in which municipal courts are established.

Referred to Committee on Judiciary.

Assembly Bill No. 2892: By Mr. Dolwig—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 39: By Messrs. Morris, Lincoln, Collier, and Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 40: By Messrs. McCollister, Dolwig, Beck, Henderson, Cooke, Crowley, Davis, Gaffney, Levering, Moss, Munnell, Stewart, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 41: By Messrs. Rosenthal, Rumford, Kilpatrick, Munnell, Shaw, Hahn, and Morris—A resolution to proposed to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the Armed Forces and providing for a tax on cigarettes and tobacco products to provide funds therefor.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 368

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 368—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lindsay:

Resolved, That Senate Bill No. 368 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read:

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 368

Senate Bill No. 368—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Senate Bill No. 368—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 1878

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 16.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 51.

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2893: By Messrs. Kilpatrick, Evans, Hollibaugh, Lowrey, Cooke, and Moss—An act to add Section 257.5 to the Penal Code, relating to the circulation of printed or written matter with intent to injure any person.

Referred to Committee on Judiciary.

Assembly Bill No. 2894: By Messrs. McFall and Parker—An act to amend Section 928 of the Health and Safety Code, relating to local health districts.

Referred to Committee on Public Health.

Assembly Bill No. 2895: By Messrs McFall and Parker—An act to add Section 926a to the Health and Safety Code, relating to local health districts.

Referred to Committee on Public Health.

Hon. Arthur H. Connolly Presiding

At 11.29 a.m., Hon. Arthur H. Connolly, Member of the Assembly from the Twenty-first District, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 2,000 COPIES BE PRINTED

Mr. Dickey asked for, and was granted, unanimous consent that the Preliminary Report of the Assembly Interim Committee on Air and Water Pollution be ordered printed, as a separate document, and that 2,000 copies be printed, with the recommended committee bills attached.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 9.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 9—Relative to the rights of the State of California to tide and submerged lands lying along the Coast of California.

Referred to Committee on Rules.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting and Caucus at the Hotel Sacramento, at noon.

RECESS

At 11.32 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 11

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2896: By Messrs. Geddes, Chapel, Doyle, Porter, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Sam L. Collins, Connolly, Conrad, Cooke, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Gubser, Hahn, Hawkins,

Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters —An act to amend Section 110 of, and to add Sections 988 and 989 to the Revenue and Taxation Code, relating to the valuation of property for purposes of property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2897: By Mr. Lyon—An act making an appropriation to the Department of Public Works for the acquisition of a right of way.

Referred to Committee on Transportation and Commerce.

MOTION TO TEMPORARILY SUSPEND RULE NO. 37

Mr. Clarke moved that Rule No. 37 be temporarily suspended for the purpose of permitting a bill from the Department of Justice to be introduced, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2898: By Mr. Butters—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

MOTION TO TEMPORARILY SUSPEND RULE NO. 37

Mr. Lipscomb moved that Rule No. 37 be temporarily suspended for the purpose of permitting a bill from the office of the Controller to be introduced, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2899: By Mr. Lipscomb—An act to amend Section 13290 of the Government Code, relating to the State Accounting System and the fiscal affairs of the State.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 3
Senate Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States to declare Solano County, State of California, a critical defense area for the purpose of obtaining financing of housing construction.

Referred to Committee on Rules.

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States to provide for military access roads to Travis Air Force Base.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 142

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 743

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 743—An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return to the State Treasury of the money so appropriated, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Joint Resolution No. 3

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT) CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 3—Relative to the tidelands and submerged lands adjacent to the coastal states

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No 3?

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "1946", and insert "1947".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 3 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 3 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 11

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 11—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 13—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of January, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of January, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 687—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of January, 1951, at 11 a.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 56
House Resolution No. 57

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 57

By Messrs. Evans and Lyon:

House Resolution No. 57

Relative to the retirement of Senator Swing

WHEREAS, After 27 years of distinguished service in the Senate, Senator Ralph E. Swing has retired from service with the Legislature; and

WHEREAS, Senator Swing has devoted much of his life in service to the people of San Bernardino County and to the State of California; and

WHEREAS, The Members of the Legislature and the people of the State have profited greatly by Senator Swing's keen insight of legislative problems; and

WHEREAS, Senator Swing has long been recognized as one of the ablest leaders in the Legislature; and

WHEREAS, The Members of the Legislature have learned to respect Senator Swing as an able statesman and a true friend; and

WHEREAS, The Members of the Legislature will sorely miss their able colleague; now, therefore, be it

Resolved by the Assembly of the State of California, That Honorable Ralph E. Swing be commended for the contribution that he has made to the people of the State of California and be extended the best wishes of the Members of the Assembly with the sincere hope that he will enjoy health and happiness in the years to come; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably prepared copy of this resolution to Honorable Ralph E. Swing.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the last "Resolved" paragraph of the measure as printed in the Assembly Journal of January 22, 1951, page 865, in the last line, after "suitably," strike out "prepared," and insert "engrossed."

Amendment read, and adopted.

Consideration of House Resolution No. 57, as Amended

By Messrs. Evans and Lyon:

House Resolution No. 57

Relative to the retirement of Senator Swing

WHEREAS, After 27 years of distinguished service in the Senate, Senator Ralph E. Swing has retired from service with the Legislature; and

WHEREAS, Senator Swing has devoted much of his life in service to the people of San Bernardino County and to the State of California; and

WHEREAS, The Members of the Legislature and the people of the State have profited greatly by Senator Swing's keen insight of legislative problems; and

WHEREAS, Senator Swing has long been recognized as one of the ablest leaders in the Legislature; and

WHEREAS, The Members of the Legislature have learned to respect Senator Swing as an able statesman and a true friend; and

WHEREAS, The Members of the Legislature will sorely miss their able colleague; now, therefore, be it

Resolved by the Assembly of the State of California, That Honorable Ralph E. Swing be commended for the contribution that he has made to the people of the State of California and be extended the best wishes of the Members of the Assembly with the sincere hope that he will enjoy health and happiness in the years to come; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably engrossed copy of this resolution to Honorable Ralph E. Swing.

Resolution read, as amended, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2900: By Messrs. Dills and McCollister—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, 643.1 relating to the change of the name of the California Defense and Security Corps to California Guard Reserve and to disability and death benefits for the state military forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 2901: By Mr Dills—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922,

by adding Section 20 to that act, relating to chiropractic, including the regulation and practice thereof, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2902: By Mr. Dills—An act to add Section 1069 to the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2903: By Messrs. Fleury and Moss—An act to amend Sections 2617, 2618, 2619, 2704, 2705, and to add Section 2705.5 to the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2904: By Messrs. Gaffney and George D. Collins—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 2905: By Messrs George D. Collins and Gaffney—An act to amend Section 6302 of the Labor Code, relating to the place of employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2906: By Messrs. Gaffney and McCollister—An act to provide for the preparation of a system of directional and site highway markets, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2907: By Mr. McFall—An act to add Sections 14259 and 14260 to, to amend Section 14540 of, and to repeal Sections 14541, 14542, 14543, 14544, 14545, 14546 and 14547 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government

Assembly Bill No. 2908: By Mr. McFall—An act to add Chapter 1 5 to Part 2, Division 1 of the Government Code, comprising Sections 35400 to 35402, relating to exclusion of territory from special districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2909: By Mr. McFall—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed abatement.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2910: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2911: By Messrs. Maloney, Gaffney, Brady, McCarthy, Belotti, Berry, George D. Collins, Crowley, and Meyers—An act to amend Sections 27174 and 27177 of the Streets and Highways Code, relating to rules of the board of directors of a bridge and highway district, and the enforcement of such rules.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2912: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act amending Section 27020 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2913: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to amend Section 27163 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2914: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to amend Section 27281 of the Streets and Highways Code, relating to toll charges of highway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2915: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to provide for the realignment and reconstruction of State Highway Route 8 and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2916: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act providing for the repayment to counties of all sums advanced by such counties to a bridge and highway district pursuant to the Bridge and Highway District Act.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2917: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to provide for the transfer of title and easement to the highway known as Sausalito

Lateral by the State Highway Commission from Golden Gate Bridge and Highway District, and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2918: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2919: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to provide for the construction of a highway between the north end of the Golden Gate Bridge and a point at or near Waldo, in Marin County, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2920: By Mr. Clarke—An act to add Section 188.1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2921: By Mr Clarke—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code, and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Sections 1131 to 1139, relating to labor disputes and the policy of the State with respect to the conduct thereof, prohibiting certain types of activities and contracts in connection therewith, and providing injunctive and other relief for persons injured by violations thereof.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2922: By Mr. Tomlinson—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2923: By Mr. Morris—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate as common carriers on a state-wide basis, subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2924: By Mr. Grunsky—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board

of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof, relating to the State Board of Chiropractic Examiners, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2925: By Mr. Grunsky—An act to amend Section 11730 of the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2926: By Mr. Grunsky—An act to amend Section 11736 of the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2927: By Mr Grunsky—An act to add Section 11736.1 to the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2928: By Mr. Grunsky—An act to amend Section 2503 of the Education Code, relating to change of boundaries of school districts.

Referred to Committee on Education.

Assembly Bill No. 2929: By Mr. Grunsky—An act to amend Section 3691 of the Education Code, relating to the exclusion of school districts from high school districts.

Referred to Committee on Education.

Assembly Bill No. 2930: By Messrs. Grunsky and Porter—An act to amend Sections 4663, 4911, 4911.1, 4912, and 4912.2 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 2931: By Mr Lincoln—An act to add Section 1157.1 to the Government Code, relating to public agencies.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2932: By Messrs. Lincoln and Rumford—An act to add Section 1151.1 to the Government Code, relating to deductions from the compensation of employees of public agencies.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2933: By Mr. Geddes—An act to amend Section 1648.3 and Section 1676 of the Insurance Code, relating to insurance production agencies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2934: By Mr. Geddes (By Request)—An act to add Section 29075 to the Government Code, governing increases in expenditures and tax levies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2935: By Messrs. Lowrey and Lindsay—An act to add Section 13115 to the Government Code, relating to acquisition of property for state purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2936: By Messrs. Lowrey, Clarke, Hansen, McCollister, and Kelly—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2937: By Mr. Lowrey—An act to add Section 533 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2938: By Mr. Lowrey—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business.

Referred to Committee on Agriculture.

Assembly Bill No. 2939: By Mr. Caldecott—An act to amend Section 2421 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 2940: By Mr. Stanley—An act to amend Section 38703 of the Government Code, relating to zoning.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2941: By Messrs. George D. Collins, Gaffney, Berry, McCarthy, Connolly, and Meyers—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Referred to Committee on Judiciary.

Assembly Bill No. 2942: By Messrs. George D. Collins, Gaffney, Berry, Meyers, Connolly, Maloney, and McCarthy—An act to amend Section 586 of the Vehicle Code, relating to the prohibited places where vehicles may stop, stand or park.

Referred to Committee on Judiciary.

Assembly Bill No. 2943: By Messrs. George D. Collins, Gaffney, Berry, Meyers, Connolly, Maloney, and McCarthy—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2944: By Mr. Kelly—An act to add Section 685 to the Vehicle Code, relating to required equipment for motor trucks.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2945: By Mr. Kelly—An act to add Section 139.62 to the Vehicle Code, relating to the maintenance of uniforms and equipment of members of the California Highway Patrol and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2946: By Mrs. Niehouse and Mr. Cloyed—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2947: By Messrs. Gubser and Kirkwood—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 2948: By Mr. Davis—An act to add Section 707 to the Vehicle Code, relating to transportation by vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2949: By Mr. Davis—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2950: By Mr. Davis—An act to add Section 736.3a to the Agricultural Code, relating to prices paid producers for fluid milk and fluid cream.

Referred to Committee on Agriculture

Assembly Bill No. 2951: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the public schools.

Referred to Committee on Education

Assembly Bill No. 2952: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the public schools.

Referred to Committee on Education

Assembly Bill No. 2953: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the public schools

Referred to Committee on Education.

Assembly Bill No. 2954: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the distribution of campaign literature and essays in schools.

Referred to Committee on Education.

Assembly Bill No. 2955: By Mr. Connolly—An act to repeal Section 7658 of the Public Utilities Code, relating to issuance of passenger tickets by railroad corporation, rights thereunder and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2956: By Mr. Connolly—An act to repeal Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2957: By Mr. Connolly—An act to repeal Section 7654 of the Public Utilities Code, relating to posting of regulations in railroad passenger cars and responsibility of railroads for damages for injuries.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2958: By Mr. Connolly—An act to repeal Section 7653 of the Public Utilities Code, relating to accommodations for passengers of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2959: By Mr. Connolly—An act to repeal Section 7652 of the Public Utilities Code, relating to damages for failure of railroads to transport passengers or property

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2960: By Mr. Connolly—An act to repeal Section 7651 of the Public Utilities Code, relating to operation of railroads and sufficiency of their accommodations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2961: By Mr Connolly—An act to repeal Section 7534 of the Public Utilities Code, relating to quality of rail used in construction of railroads

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2962: By Mr. Connolly—An act to amend Section 7532 of the Public Utilities Code, relating to the construction of railroads and the discontinuance of operation thereof.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2963: By Mr Connolly—An act to amend Section 7528 of the Public Utilities Code, relating to the motive power of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2964: By Mr. Connolly—An act to amend Section 7527 of the Public Utilities Code, relating to the powers of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2965: By Mr. Connolly—An act to repeal Section 7510 of the Public Utilities Code, prescribing penalty for violations of Sections 7508 and 7509 thereof and authorizing prosecution of actions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2966: By Mr. Connolly—An act to repeal Section 7509 of the Public Utilities Code, relating to increase in the rates and fares of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2967: By Mr. Connolly—An act to amend Section 7508 of the Public Utilities Code, relating to transfer of property of railroad corporations, consent of stockholders and recording and effect of conveyance.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2968: By Mr. Connolly—An act to repeal Section 7507 of the Public Utilities Code, relating to certificate of payment of fixed capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2969: By Mr. Connolly—An act to repeal Section 7506 of the Public Utilities Code, relating to the fixing of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2970: By Mr. Connolly—An act to repeal Section 7505 of the Public Utilities Code, relating to the conversion of bonds of railroad corporations into stock.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2971: By Mr. Connolly—An act to repeal Section 7504 of the Public Utilities Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2972: By Mr. Connolly—An act to repeal Section 7503 of the Public Utilities Code, relating to the borrowing of money by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE

Mr. Davis gave notice that on the second legislative day he would move to withdraw Senate Bill No. 327 from the Committee on Public Utilities and Corporations, and have it placed upon the file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2973: By Mr. Connolly—An act to repeal Section 7502 of the Public Utilities Code, relating to the transfer of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2974: By Mr. Connolly—An act to repeal Section 7501 of the Public Utilities Code, relating to election of directors of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2975: By Mr. Connolly—An act to repeal Sections 566 and 567 of the Penal Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2976: By Mr. Connolly—An act to amend Section 494 of the Civil Code, relating to transfer of property of railroad corporations, consent of stockholders, increase in rates thereof, recovery for violations and authority to prosecute actions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2977: By Mr. Connolly—An act to repeal Section 491 of the Civil Code, relating to quality of rail use in construction of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2978: By Mr. Connolly—An act to repeal Section 490 of the Civil Code, relating to issuance of passenger tickets by railroad corporations, rights thereunder and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2979: By Mr. Connolly—An act to repeal Section 489 of the Civil Code, relating to rates and charges for transportation of passengers and freight established by Board of Railroad Commissioners.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2980: By Mr. Connolly—An act to repeal Section 484 of the Civil Code, relating to posting of regulations in railroad passenger cars and responsibility of railroads for damages for injuries.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2981: By Mr. Connolly—An act to repeal Section 483 of the Civil Code, relating to accommodations for passengers of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2982: By Mr. Connolly—An act to repeal Section 482 of the Civil Code, relating to damages for failure of railroads to transport passengers or property.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2983: By Mr. Connolly—An act to repeal Section 481 of the Civil Code, relating to operation of railroads and sufficiency of their accommodations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2984: By Mr. Connolly—An act to repeal Section 480 of the Civil Code, relating to annual report to the Secretary of State by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2985: By Mr. Connolly—An act to repeal Section 479 of the Civil Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2986: By Mr. Connolly—An act to amend Section 468 of the Civil Code, relating to the construction and discontinuance of operation of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2987: By Mr. Connolly—An act to amend Section 465a of the Civil Code, relating to motive power of railroads.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 2988: By Mr Connolly—An act to amend Section 465 of the Civil Code, relating to the powers of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2989: By Mr. Connolly—An act to repeal Section 459 of the Civil Code, relating to certificate of payment of fixed capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2990: By Mr. Connolly—An act to repeal Section 458 of the Civil Code, relating to the fixing of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2991: By Mr. Connolly—An act to repeal Section 457 of the Civil Code, relating to the conversion of bonds of railroad corporations into stock.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 2992: By Mr. Connolly—An act to repeal Section 456 of the Civil Code, relating to the borrowing of money by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2993: By Mr. Connolly—An act to repeal Section 455 of the Civil Code, relating to the transfer of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2994: By Mr. Connolly—An act to repeal Section 454 of the Civil Code, relating to election of directors of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2995: By Mr. McGee—An act to add Section 987.5 to the Penal Code, relating to indigent defendants.

Referred to Committee on Judiciary.

Assembly Bill No. 2996: By Mr. McGee—An act to provide for the suspension of drivers' licenses.

Referred to Committee on Judiciary.

Assembly Bill No. 2997: By Mr. McGee—An act to authorize the change, modification or correction of judgments in criminal cases

Referred to Committee on Judiciary.

Assembly Bill No. 2998: By Mr. McGee—An act to add Section 261 5 to the Penal Code, relating to the definition of rape.

Referred to Committee on Judiciary.

Assembly Bill No. 2999: By Mr. McGee—An act to amend Section 209 of the Penal Code, relating to kidnapping.

Referred to Committee on Judiciary.

Assembly Bill No. 3000: By Mr. McGee—An act to amend Section 190 of the Penal Code, relating to murder.

Referred to Committee on Judiciary.

Assembly Bill No. 3001: By Mr. McGee—An act, relating to probation.

Referred to Committee on Judiciary.

Assembly Bill No. 3002: By Mr. McGee—An act to amend Section 8 of the Dangerous Weapons' Control Law, relating to deadly weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3003: By Mr. McGee—An act to add Section 1090 to the Penal Code, relating to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 3004: By Mr. McGee—An act to add Section 1127a to the Penal Code, relating to criminal proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3005: By Mr. McGee—An act to add Section 680 to the Penal Code, relating to the punishment of persons convicted of criminal offenses.

Referred to Committee on Judiciary.

Assembly Bill No. 3006: By Mr. George D. Collins—An act to amend Section 6 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs,"

approved June 3, 1921 (Chapter 757, Statutes of 1921), relating to the impounding and disposition of dogs running at large.

Referred to Committee on Municipal and County Government

Assembly Bill No. 3007: By Mr. Condon—An act to add Section 7 7 to the Unemployment Insurance Act, relating to definition of covered employees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3008: By Mr. Silliman—An act to repeal Section 18954 of the Government Code, relating to state civil service, in respect to promotional examinations in the California Highway Patrol.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3009: By Mr. Silliman—An act to amend Section 18901 of the Government Code, relating to duration of civil service eligible lists.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3010: By Mr. Silliman—An act to amend Section 18950 of the Government Code, relating to state civil service, in respect to promotional eligibility lists.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3011: By Mr. Silliman—An act to amend Section 18853 of the Government Code, relating to state employment, in respect to salaries on per diem or hourly bases.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3012: By Mr. Silliman—An act to amend Section 19058 and to repeal Section 19120 of the Government Code, relating to state civil service, in respect to temporary and emergency appointments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3013: By Mr. Silliman—An act to amend Section 19533 of the Government Code, relating to state employment, in respect to layoffs.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3014: By Mr. Silliman—An act to amend Sections 18854, 18856, and 18857, and to repeal Section 18859 of the Government Code, relating to state salary ranges.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3015: By Mr. Silliman—An act to amend Section 18850 of the Government Code, relating to the adjustment of salary ranges in state civil service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3016: By Mr. Silliman—An act to add Section 18657 to the Government Code, relating to state civil service, to provide for a Personnel Council.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3017: By Mr. Silliman—An act to add Section 18007 to the Government Code, relating to state employment, in respect to pay roll procedure.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3018: By Mr. Silliman—An act to amend Section 19502 of the Government Code, relating to state civil service, in respect to separations from service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3019: By Messrs. Stewart, Erwin, and Chapel —An act making an appropriation to the Sixth District Agricultural Association and providing for its expenditure for the encouragement of floriculture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3020: By Mr. Connolly—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form.

Referred to Committee on Public Health.

Assembly Bill No. 3021: By Mr. Erwin—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds.

Referred to Committee on Fish and Game.

Assembly Concurrent Resolution No. 24: By Mr. Lowrey—Relative to the establishment of a thorough and coordinated program of research and experimentation in all phases of agricultural aviation.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 42: By Mr. George D. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Article XXXIV thereof, relating to low rent housing projects.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3022: By Mr. Lipscomb—An act to amend Section 19330 of the Government Code, relating to leaves of absence for civil service employees.

Referred to Committee on Civil Service and State Personnel.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the funeral services for Mrs. Butters, wife of Assemblyman Butters, will be held in Pomona, at the Todd Mortuary, at 1.30 p.m., on next Thursday, January 25th, and urged as many members as possible to be present.

UNANIMOUS CONSENT GRANTED THAT FLORAL SPRAY BE SENT TO FUNERAL SERVICES FOR MRS. BUTTERS

Speaker Sam L. Collins asked for, and was granted, unanimous consent that a floral spray be sent to the funeral services for Mrs. Butters and that the Chief Clerk be instructed to send such spray.

RESOLUTIONS

The following resolution was offered:

By Messrs. George D. Collins, Gaffney, and Cooke:

House Resolution No. 61

Relative to the creation of the Assembly Interim Committee on the Cost of Living

WHEREAS, The United States Bureau of Labor Statistics cost of living index has skyrocketed to new highs in recent weeks, thus reflecting the steeply rising costs which the people of this State must pay for the necessities of life; and

WHEREAS, The higher costs of many commodities appear to be attributable to shortages in supply and the exacting of high profits rather than to the increased costs of labor and new materials; and

WHEREAS, Investigations and studies to determine the basic forces that have sent the cost of living soaring to unprecedented heights are needed to inform the Legislature of the appropriate legislation required; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Cost of Living is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 11

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 11, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 11

Assembly Joint Resolution No. 11—Relative to materials and equipment necessary for air pollution control.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 24—Relative to challenging the Assembly to a game of baseball.

Request for Unanimous Consent

Mr. Collier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 24, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 24

Senate Concurrent Resolution No. 24—Relative to challenging the Assembly to a game of baseball.

Resolution read.

Resolution ordered re-referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3023: By Mr. Morris—An act to add Section 53253 to the Government Code, relating to firemen.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3024: By Mr. Morris—An act relating to benefits for members of the fire departments of state institutions.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3025: By Mr. Morris—An act to add Section 459.1 to the Unemployment Insurance Act, relating to the jurisdiction of the Appeals Board.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3026: By Mr. Morris—An act to add Section 6359.6 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom, including the declaration of a continuing legislative intent to exempt farm equipment, spray materials, insecticides and fungicides used or employed in the production, processing and marketing of farm crops and livestock.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3027: By Mr. Morris—An act to provide for the assessment of property for tax purposes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3028: By Mr. Morris—An act to repeal Article 7, comprising Sections 4111 to 4113, inclusive, of, and to add a new Article 7, comprising Sections 4111 to 4114, inclusive, to, the Public Utilities Code, relating to city carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3029: By Mr. Grant—An act to amend Section 4845 28 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3030: By Mr. Grant—An act to amend Section 12902 of the Insurance Code, relating to the Insurance Commissioner.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3031: By Messrs. Rosenthal, Munnell, and Fleury—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals.

Referred to Committee on Judiciary.

Assembly Bill No. 3032: By Mr. Rosenthal—An act to add Section 27645 to the Government Code, relating to the duties of county counsels.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3033: By Mr. Rosenthal—An act to amend Sections 21, 39, and 41 of the Alcoholic Beverage Control Act, relating to administrative procedure of the State Board of Equalization.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3034: By Messrs. Rosenthal and Munnell—An act to amend Section 30 of the Municipal and Justice Court Act of 1949, relating to salaries of municipal court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 3035: By Mr. Rosenthal—An act to add Section 4011.6 to the Penal Code, relating to the transfer of mentally ill and sexual psychopathic persons from county jails to state hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 3036: By Mr. Davis—An act to add Section 6731.5 to the Business and Professions Code, relating to highway engineers in the state service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3037: By Messrs. Hansen and Hagen—An act to add Section 941 to the Agricultural Code, relating to cotton.

Referred to Committee on Agriculture.

Assembly Bill No. 3038: By Mr. Waters—An act to amend Section 1264.3 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3039: By Mr. Waters—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use.

Referred to Committee on Judiciary.

Assembly Bill No. 3040: By Mr. Waters—An act to amend Section 1240 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3041: By Mr. Waters—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3042: By Mr. Waters—An act to amend Section 1242 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3043: By Mr. Waters—An act to amend Section 1245.4 of the Code of Civil Procedure, relating to actions to determine title to property.

Referred to Committee on Judiciary.

Assembly Bill No. 3044: By Mr. Waters—An act to amend Section 1248 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3045: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 1551 of the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3046: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 1581 of the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3047: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 1589 of, and to add Sections 1589 1, 1589.2, and 1589.3 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3048: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 205 of the Labor Code, relating to the payment of wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3049: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to add Sections 1622 1 and 1622.2 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3050: By Messrs. Hagen and Condon—An act to add Section 689.1 to the Code of Civil Procedure, relating to execution on personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 3051: By Mr. Hagen—An act to add Sections 2160 1 and 3052 to the Welfare and Institutions Code, relating to eligibility for public assistance, including aid to the aged and aid to the needy blind

Referred to Committee on Social Welfare.

Assembly Bill No. 3052: By Mr. Hagen—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilites of said district.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3053: By Messrs. Hagen, Hansen, and Kelly—An act to amend Section 118 of the Welfare and Institutions Code, relating to the use of information and records pertaining to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 3054: By Mr. Hagen—An act to add Chapter 6 to Division 7 of the Elections Code, comprising Sections 5400 to 5407, inclusive, relating to the publication of a voters' handbook to be mailed to each registered voter prior to the direct primary and prior to the general election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3055: By Mr. Hagen—An act to add Section 1508 to the Welfare and Institutions Code, relating to applicants residing with a stepparent.

Referred to Committee on Social Welfare.

Assembly Bill No. 3056: By Messrs. Hagen and Condon—An act to amend Section 402 of the Vehicle Code, relating to the liability of owners of motor vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 3057: By Mr. Hagen—An act to amend Sections 2014 and 3079 of the Welfare and Institutions Code, relating to inspection of records and to add Section 1513 to the Welfare and Institutions Code, relating to inspection of records.

Referred to Committee on Social Welfare.

Assembly Bill No. 3058: By Mr. Hagen—An act to add Section 1511 1, relating to supervision of grants of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 3059: By Mr. Hagen—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence requirements for qualification of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 3060: By Messrs. Moss and Fleury—An act to add Section 19368.7 to the Government Code, relating to layoff.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 3061: By Mr. Chapel—An act to amend Section 7693 of the Business and Professions Code, and to add Section 310 to the Penal Code, relating to advertising by funeral directors and embalmers and proprietors of cemeteries, crematories and mausoleums.

Referred to Committee on Public Health.

Assembly Bill No. 3062: By Mr. Belotti—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Referred to Committee on Fish and Game.

Assembly Bill No. 3063: By Mr. Belotti—An act to amend Section 16 of the Mendocino County Flood Control and Water Conservation District Act, relating to the Mendocino County Flood Control and Water Conservation District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3064: By Mr. Belotti (By Request)—An act providing for the acquisition of rights of way for, and the construction and reconstruction of existing public ways as parts of, a System of Strategic State Freeways and Highways therein designated; and providing for the financing of the same through the issuance and sale of state bonds to be known as the California Strategic State Freeway and Highway Bonds; and creating a Strategic State Freeway and Highway Finance Board and prescribing its duties and the duties of the State Controller in respect to said bonds; and making an appropriation from

the General Fund of this State to pay all expenses incurred in the issuance, sale and discharge of said bonds; and to amend Section 7351 of the Revenue and Taxation Code, relating to motor vehicle fuel license tax; and to amend Section 8651 of said code, relating to the motor vehicle use fuel tax, and providing for an additional such fuel license tax and use license tax, both at the rate of 2 cents per gallon to be paid into an Interest and Sinking Fund, and making an appropriation of all moneys in said fund, for the payment of said bonds and interest thereon; and providing for the powers and duties of the State Department of Public Works and the California Highway Commission in connection with said System of Strategic State Freeways and Highways; and to amend Section 186 of the Streets and Highways Code, relating to the moneys available to said department and commission for general administration and for maintenance of state freeways and highways; and to amend Sections 188 and 188.4 of the Streets and Highways Code, relating to the allocation and expenditure of moneys in the State Highway Fund and designating the name by which this act shall be known, and providing that this act shall be and become effective upon the adoption of an amendment to the Constitution of this State approving, adopting, legalizing, validating and making fully and completely effective this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3065: By Mr. Elliott—An act to amend Sections 52 and 53 of, and to add Section 54.5 to, the Civil Code, relating to civil rights.

Referred to Committee on Judiciary.

Assembly Bill No. 3066: By Mr. Lindsay—An act making an appropriation to the Division of Forestry, Department of Natural Resources, to provide for special stand-by brush burning fire protection services, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3067: By Mr. Lindsay—An act to add Section 1773 to the Welfare and Institutions Code and Section 5082 to the Penal Code, relating to reimbursement to owners of property damaged by persons escaped from correctional or penal institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 3068: By Mr. Dickey—An act to amend Section 28103 of the Government Code, relating to jurors' fees in counties of the third class.

Referred to Committee on Judiciary.

Assembly Bill No. 3069: By Mr. Dickey—An act to amend Section 5461 of the Health and Safety Code, relating to contamination or pollution of waters.

Referred to Committee on Public Health.

Assembly Bill No. 3070: By Mr. McMillan—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3071: By Mr. McMillan—An act to add Section 38.1 to the Alcoholic Beverage Control Act, relating to distances between licensed premises.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3072: By Mr. McMillan—An act to add Section 1590 5 to the Labor Code, relating to the regulation of employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3073: By Mr. McMillan—An act to add Section 1062.5 to the Fish and Game Code, relating to mackerel.

Referred to Committee on Fish and Game.

Assembly Bill No. 3074: By Mr. Lowrey—An act to add Section 4 to the Fish and Game Code, relating to the taking of private land for public use.

Referred to Committee on Fish and Game.

Assembly Bill No. 3075: By Mr. Waters—An act to add Section 7610 to the Elections Code, relating to canvass of votes for judicial offices.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3076: By Messrs. Lyon, Maloney, Brown, Caldecott, Sam L. Collins, Crowley, Dolwig, and Stewart—An act to amend Sections 20013, 20604, 21250, 21295, and 21330 of the Government Code, and to add Sections 20014.6, 20017.8, 20017.9, 20602.9, 20602.95, 20603.3, 20750.7, 20803.7, 20950.7, 20980.7, 21020.7, 21210, 21252.4, 21256.3, 21257.2, 21262.1, 21290.7, 21292.7, and 21363.6 thereto, relating to the State Employees' Retirement System in respect to the Alcoholic Beverage Control Act enforcement personnel of the State Board of Equalization.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3077: By Mr. McGee—An act to add Section 452 to the Penal Code, relating to arson.

Referred to Committee on Judiciary.

Assembly Bill No. 3078: By Messrs. Meyers, Maloney, Gaffney, Condon, Berry, Cooke, Grant, Hahn, Lincoln, McFall, and Rosenthal—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3079: By Messrs. Meyers, Hahn, Gaffney, Condon, Berry, Cooke, Grant, Lincoln, McFall, and Rosenthal—An act to add Section 8.7 to the Dangerous Weapons Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3080: By Mr. Henderson—An act to amend Section 19601.5 of the Education Code, relating to child care centers.

Referred to Committee on Social Welfare.

Assembly Bill No. 3081: By Mr. McMillan—An act to add Chapter 7 to Division 12 of the Education Code, relating to the suspension, licensing, and regulation of private schools.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3082: By Mr. Kilpatrick—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 10, and 15, and to repeal Section 7, and to add Section 7 thereto, relating to the practice and study of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 3083: By Mr. Dolwig—An act to amend Section 6107 and 27381 of the Government Code, relating to issuance of certified copies of public records to veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 3084: By Mr. Dolwig—An act to amend Section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Referred to Committee on Judiciary.

Assembly Bill No. 3085: By Mr. Dolwig—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 3086: By Mr. Dolwig—An act to amend Section 9902 of the Government Code, relating to the regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3087: By Mr. Dolwig—An act to amend Section 204c of the Code of Civil Procedure, relating to the duties, powers and expenses of superior court commissioners and their assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 3088: By Mr. Dolwig—An act to amend Section 9906 of the Government Code, relating to the regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3089: By Mr. Dolwig—An act to amend Section 9908 of the Government Code, relating to the regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3090: By Mr. Dolwig—An act authorizing counties to waive and pledge their share of funds derived from motor vehicle fuel and use taxes; authorizing the State Treasurer to prepare and issue bonds in the amount waived by the counties; and authorizing counties to expend the proceeds raised from the sale of the bonds for the immediate construction or repair of highways.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3091: By Mr. Crowley—An act to suspend those provisions of Article XI, Section 5, of the Constitution, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3092: By Mr. Beck—An act to amend Section 590 of the Fish and Game Code, relating to kelp.

Referred to Committee on Fish and Game.

Assembly Joint Resolution No. 14: By Messrs. Levering and Maloney—Relative to memorializing Congress to take action for protection for civilian injuries or deaths resulting from acts of war.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Request for Unanimous Consent

Mr. Levering asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 14, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 14

Assembly Joint Resolution No. 14—Relative to memorializing Congress to take action for protection for civilian injuries or deaths resulting from acts of war.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 7

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 7, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 7

Assembly Joint Resolution No. 7—Relative to acquisition of land by the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Request for Unanimous Consent

Mr. McMillan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 21

Assembly Concurrent Resolution No. 21—Relative to approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said city of Culver City at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—62.

NOES—None

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3093: By Mr. Beck—An act to repeal Sections 590, 591, 592, 593, 594, 595, and 596 of the Fish and Game Code, relating to kelp.

Referred to Committee on Fish and Game.

Assembly Bill No. 3094: By Mr. Beck—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of hostesses by licensees.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3095: By Mr. Beck—An act to amend Section 40 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3096: By Messrs Hollibaugh, Lyon, Hawkins, Waters, Burke, Burkhalter, Chapel, Collier, Conrad, Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Hahn, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Smith, Stewart, and Thomas—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garnier block as part of the State Park System and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3097: By Mr. Munnell—An act to amend Section 1596.1 of the Education Code, relating to school sites, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 3098: By Messrs. Geddes, Waters, Chapel, and Stewart—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3 6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3099: By Mr. Berry—An act to amend Section 697.1 of the Motor Vehicle Code, relating to length of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3100: By Mr. Berry—An act to add Section 694a to the Vehicle Code, relating to width of busses.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 3101: By Messrs. Gaffney and Maloney—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3102: By Mr Gaffney—An act to amend Section 7049 of the Business and Professions Code, dealing with exemptions under the Contractors' License Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3103: By Mr. Gaffney—An act to add Chapter 8, Part 3, Division 13, to the Health and Safety Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 43: By Mr. Belotti (By Request)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered 15, authorizing issuance and sale of bonds of the State of California in par value of not exceeding $1,000,000,000, proceeds to be paid into a fund for acquisition of rights of way for, and construction and reconstruction of existing public ways as parts of, a System of Strategic State Freeways and Highways; and approving, adopting, legalizing, validating and making fully and completely effective the Strategic State Freeway and Highway Bond Act of 1951, as passed by the Senate and Assembly at the 1951 General Session of the Legislature and approved by the Governor.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolutions were offered:

By Mr. Condon:

House Resolution No. 62

WHEREAS, The Attorney General of California is the legal adviser for state agencies and in that capacity prepares and issues official opinions of importance to such agencies and to the legislative body; and

WHEREAS, Such opinions are regularly published and available at the rate of $29 per annual subscription (plus tax) and at the rate of $150 per set (plus tax) for complete sets of the back numbers of the bound volumes; now, therefore, be it

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions and for the use of Members of the Assembly a total of 81 subscriptions for the biennium beginning January 1, 1951 at an aggregate cost of $4,698, plus tax; and be it further

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions for the use of new Members of the Assembly 13 sets of back numbers of the bound volumes of such opinions at an aggregate cost of $1,950, plus tax.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dolwig:

House Resolution No. 63

Relating to printing of reports of legislative representatives

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly shall have printed in the Journal of the Assembly on the first and last day of each regular session names of such persons as are registered with the Legislative Auditor as legislative representatives, and the organization they are representing.

Resolution read, and ordered referred to the Committee on Rules.

RECESS

At 3.20 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 22

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 25—Relative to the birthday of General Douglas MacArthur.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 9
Senate Joint Resolution No. 3
Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 63

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr Condon asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to General Douglas MacArthur, on behalf of the Members of the Assembly, and extend to him birthday congratulations.

RESOLUTIONS

The following resolutions were offered:

By Mr. Brady:

House Resolution No. 64

Relative to continuation of direct air route travel from Sacramento, California, to Washington, D C, via United Air Lines—and the dismissal by the Civil Aeronautics Board of the Proceeding (DOCKET 3660) which would eliminate the segment of the United Air Lines' direct route between Chicago, Illinois, and Washington, D. C

WHEREAS, Since 1943, by virtue of a certificate of public convenience and necessity granted by the Civil Aeronautics Board, United Air Lines has provided a direct route of air transportation between San Francisco, California, and Washington, D. C ; and

WHEREAS, This has brought Sacramento, the capital of the State of California, in direct route via San Francisco with the capital of the United States of America ; and

WHEREAS, The Civil Aeronautics Board has currently instituted a proceeding to determine whether public convenience and necessity require elimination or suspension of United Air Lines' through service to Washington, D. C ; and

WHEREAS, The elimination of the Chicago-Washington, D. C., segment of the direct route would necessitate a changing of 'planes in Chicago before one could proceed from the West Coast to Washington, D. C. ; and

WHEREAS, The presence of the "Chicago Bottleneck" for years had been constantly discommoding surface travel because of the necessity of changing trains and we should not permit air transport to find itself in the same unfortunate position ; and

WHEREAS, California is the fastest growing state in the Nation and as such has unusual community of interest with the Nation's capital ; and

WHEREAS, The service provided by United Air Lines is of vital importance to the heavily populated and strategic areas which it accommodates, and is particularly necessary, in uncurtailed form, at the present time when international as well as domestic exigencies demand that air transport facilities between the Nation's capital and its defense centers be maintained at a maximum level of efficiency ; and

WHEREAS, *The only direct one-carrier service from Sacramento, capital of California*, to Washington, D. C., capital of the Nation, is along the route now in question ; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby wholeheartedly endorse and support the petition of the United Air Lines to the Civil Aeronautics Board to dismiss the proceeding (DOCKET 3660) which menaces Sacramento's direct air service to Washington, D C. ; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution and to forward same to the Civil Aeronautics Board, Delos W. Rentzel, Esq , Chairman, to the Chairman of the Congressional Delegation from California, Honorable Cecil R. King, and to the United States Senators from the State of California, Honorable William F. Knowland, and Honorable Richard Nixon

Resolution read, and ordered referred to the Committee on Rules

By Mr. Crowley:

House Resolution No. 65

Relative to the creation of a Fact-Finding Committee on Air and Water Pollution

WHEREAS, The problem of water and air pollution resulting from the disposal of municipal and industrial wastes and from other causes is a subject of vital concern to the entire State of California ; and

WHEREAS, Substantial progress toward solution of this problem by proper legislation has been made out of an investigation and study by an interim committee, and continuation of this progress is essential to the health and welfare of the people ; and

WHEREAS, It is essential that the Legislature be thoroughly informed on the continued progress made toward eventual solution of this problem ; and

WHEREAS, In the interests of the welfare of the public health, agriculture, industry and all others concerned, it is deemed advisable that continued study be given to the subject of this resolution ; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Air and Water Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to procedures designed to abate, prevent and control pollution of

a. The atmosphere in the various regions of the State; and

b. The lakes, streams and other surface waters; and

c The underground waters of the State, and

d. The lower reaches of the river systems, and harbor, bay and coastal waters; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution including the reclamation and utilization of waste waters, and any other matter referred to the committee for study by the Legislature, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the last legislative day of the next regular general session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members

5 The committee or any subcommittee may meet and travel within or outside of this State in pursuing the investigations committed to it.

6. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other persons or agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purpose for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necesary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

7. The sum of _____ ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 51

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 26
Senate Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 26—Relating to public school apportionment.

Referred to Committee on Rules.

Senate Joint Resolution No. 6—Relative to the All-American Canal Project.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Constitutional Amendment No. 44: By Mr. Gaffney—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14.2 to Article XVI thereof, relating to the issuance of bonds to provide for the civilian defense.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 45: By Messrs. Gaffney and George D. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14.1 to Article XVI thereof, relating to the issuance of bonds to provide an adequate State Highway System.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 46: By Mr. Gaffney—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14 to Article XVI thereof, relating to the issuance of bonds for school purposes.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 47: By Mr. Cloyed—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 4 to Article XIV thereof, relating to the issuance of bonds to provide for the development of the water resources of the State and to provide aid to cities, counties, cities and counties, districts and other public and municipal corporations and public authorities in the development of water resources of the State.

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 48: By Mr. Coats—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3104: By Mr. Dolwig—An act to add Section 5300 to the Public Resources Code, relating to recreation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3105: By Mr. Levering—An act to amend Sections 8354 and 8355 of the Revenue and Taxation Code, relating to taxes, interest and penalties on fuel used in aircraft, and the refund and allocation thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3106: By Messrs. Gaffney, George D. Collins, and Maloney—An act relating to a county and state highway construction and improvement program, including cooperation with the United States Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid money, and making an appropriation for the purposes of this act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3107: By Mr. Geddes—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3108: By Mr. Geddes—An act to amend Sections 2090, 2095, and 3011 of the Banking Code to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3109: By Messrs. Kelly and Dunn—An act to amend Section 6457 of the Education Code, relating to school district taxes.

Referred to Committee on Education.

Assembly Bill No. 3110: By Mr. Burkhalter—An act to add Section 5300.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3111: By Mr. Burkhalter—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 3112: By Mr. Burkhalter—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the performance of certain functions relating thereto by public officers; providing for contracts with cities, counties and other public agencies; and relating to transportation in metropolitan areas.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3113: By Mr. Lowrey—An act to add Section 6855 to the Public Resources Code, relating to the preferential right to an oil and gas lease of the owner of lands that have been sold by the State with reservation to the State of the minerals and oil and gas in such lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3114: By Mr. Munnell—An act making an appropriation to the Forty-eighth District Agricultural Association for construction of a building for fair purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3115: By Mr. Hinckley—An act to add Section 535 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3116: By Mr. Maloney—An act to amend Section 14420 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3117: By Mr. Maloney—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3118: By Mr. Maloney—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3119: By Mr. Sam L. Collins—An act to amend Section 825 of the Penal Code, relating to the rights of a person arrested and the duties of an officer in respect thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 3120: By Mr. Sam L. Collins—An act to add Section 1102 5 to the Penal Code, relating to evidence.

Referred to Committee on Judiciary.

Assembly Bill No. 3121: By Mr. Maloney—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3122: By Mr. Maloney—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof" approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3123: By Mr. Coats—An act to better recreational angling in streams with seasonal low water and/or streams with flow depletion due to diversions

Referred to Committee on Fish and Game

Assembly Bill No. 3124: By Mr. Coats—An act to amend Section 10001 of the Water Code, relating to the development of water resources

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3125: By Mr. Coats—An act to amend Section 14121 of the Government Code, relating to flood control and flood damage

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3126: By Mr. Coats—An act to amend Section 2 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged and destroyed by storms or floods.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 3127: By Mr. Coats—An act to amend the Construction and Employment Act, relating to construction of public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3128: By Mr. Coats—An act to provide revenues for financing the construction and maintenance of roads, streets and bridges, including state highways, imposing taxes for that purpose and making an appropriation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3129: By Mr. Coats—An act making an appropriation to the State Department of Public Works for the construction of state highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3130: By Mr. Coats—An act to amend Section 94 of the Streets and Highways Code, relating to contracts for state highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3131: By Mr. Coats—An act to amend Section 507 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3132: By Mr. Coats—An act to add Section 534 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3133: By Mr. Coats—An act to add Section 554 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3134: By Mr. Coats—An act to add Section 553 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE STRICKEN FROM ASSEMBLY BILL NO. 2525 AS CO-AUTHOR

Mr. Morris asked for unanimous consent that his name be stricken from Assembly Bill No. 2525 as a co-author.

Mr. Kirkwood withheld unanimous consent.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 25: By Mr. Kirkwood—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 3135: By Mr. Coats—An act to add Section 552 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3136: By Mr Coats—An act to add Section 551 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3137: By Mr. Coats—An act to add Section 556 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3138: By Mr. Coats—An act to add Section 558 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3139: By Mr. Coats—An act to add Section 555 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3140: By Mr. Coats—An act to add Section 4.5 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Butte County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3141: By Mr. Coats—An act to add Section 4.4 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Yuba County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3142: By Mr. Coats—An act to add Section 4 3 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and

Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Sutter County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3143: By Mr. Coats—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3144: By Mr. Coats—An act making an appropriation to the California Aeronautics Commission for carrying out the provisions of Section 6 of the State Aeronautics Commission Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3145: By Mr. Coats—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Referred to Committee on Agriculture.

Assembly Bill No 3146: By Mr. Coats—An act making an appropriation for the support of Chico State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3147: By Mr. Coats—An act making an appropriation for the acquisition of land and the construction of buildings for Chico State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3148: By Mr. Coats—An act to add Sections 20658 and 20659 to the Education Code, relating to the California State Polytechnic College, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3149: By Mr. Coats—An act to amend Section 4231 of the Education Code, relating to junior college districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3150: By Mr. Coats—An act to add Part 7.5 to Division 3 of Title 2 of the Government Code, establishing a State Department of Commerce and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3151: By Mr. Coats—An act making an appropriation for the State Department of Commerce.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3152: By Mr. Coats—An act to amend Section 981 2 of the Military and Veterans Code, relating to educational assistance.

Referred to Committee on Military Affairs.

Assembly Bill No. 3153: By Mr. Coats—An act to amend Section 1 of the Sabotage Prevention Act of 1950, relating to sabotage.

Referred to Committee on Judiciary.

Assembly Bill No. 3154: By Mr. Coats—An act to amend Section 35105 of the Corporations Code, relating to subversive activities.

Referred to Committee on Judiciary.

Assembly Bill No. 3155: By Mr. Coats—An act to amend Section 565 of the Military and Veterans Code, relating to security and defense.

Referred to Committee on Military Affairs.

Assembly Bill No. 3156: By Mr. Coats—An act to amend Section 1580 of the Military and Veterans Code, relating to civil defense.

Referred to Committee on Military Affairs.

Assembly Bill No. 3157: By Mr. Coats—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3158: By Mr. Coats—An act to amend Section 2 of the Public Utilities Act, relating to definitions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3159: By Mr. Coats—An act to amend Section 4802 of the Elections Code, relating to purity of elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3160: By Mr. Coats—An act to amend Section 737fff of the Political Code and Section 79.58 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in Yuba County.

Referred to Committee on Judiciary.

Assembly Bill No. 3161: By Mr. Coats—An act to amend Section 737d of the Political Code and Section 79.4 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in Butte County.

Referred to Committee on Judiciary.

Assembly Bill No. 3162: By Mr. Coats—An act to amend Section 427 of the Education Code, relating to the salary of the county superintendent of schools of a county of the twenty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3163: By Mr. Coats—An act to amend Section 438 of the Education Code, relating to the salary of the county superintendent of schools of a county of the thirty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3164: By Mr. Coats—An act to amend Section 439 of the Education Code, relating to the salary of the county superintendent of schools of a county of the thirty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3165: By Mr. Coats—An act to amend Section 67 of the Agricultural Code, relating to agriculture.

Referred to Committee on Agriculture.

Assembly Bill No. 3166: By Mr. Coats—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security.

Referred to Committee on Social Welfare.

Assembly Bill No. 3167: By Mr. Coats—An act to amend Section 16726 of the Business and Professions Code, relating to combinations in restraint of trade.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3168: By Mr. Coats—An act to add Article 11.6 to Chapter 15 of Division 3 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 3169: By Mr. Moss—An act to amend Section 706 of the Vehicle Code, relating to weight limits for vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3170: By Messrs. Kilpatrick, Crowley, and Burkhalter—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 3171: By Mr. Dills—An act to add Section 247.5 to the Vehicle Code, relating to the wrecking or dismantling of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3172: By Mr. Elliott—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security, in respect to responsibility of relatives.

Referred to Committee on Judiciary.

Assembly Bill No. 3173: By Mr. Morris—An act to amend Section 10151 of the Education Code, relating to compulsory military education.

Referred to Committee on Military Affairs.

Assembly Bill No. 3174: By Mr. Morris—An act to add Sections 3011.1 and 3301.1 to the Public Resources Code, relating to oil and gas, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3175: By Messrs. Morris and Sam L. Collins—An act to amend Section 3227 of the Public Resources Code, relating to the statement filed by persons producing oil or gas.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3176: By Mr. Henderson—An act to amend Section 2411 of the Labor Code, relating to labor camps.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3177: By Mr. Henderson—An act to amend Section 1394 of the Labor Code, relating to employment of minors.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3178: By Mr. Henderson—An act to amend Section 1588.2 of the Labor Code, relating to labor contractors.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3179: By Mr. Henderson—An act to add Section 6 8 to the Unemployment Insurance Act, relating to unemployment insurance coverage.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3180: By Mr. Waters—An act to add Section 9.5 to the Metropolitan Water District Act, relating to the terms and conditions of annexation of certain municipalities to metropolitan water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3181: By Mr. Kirkwood—An act to amend Section 2020 of the Welfare and Institutions Code, to repeal Sections 2020.5, 2025, 2181, 2181.01, and 2224 thereof, and to add Sections 2000.3, 2006 5, 2020.01, 2142, 2186.2, 2223, 2223.5, 2226, 2229, and 2231 thereto, all relating to old age security, providing for increasing the grant, changing the method of computing the grant, state participation in county costs of administration, abolishing relatives' responsibility, collection from estates of deceased recipients for aid fraudulently received, execution of agreements by recipients regarding disposition of property and establishing the right of the State as an unsecured creditor in settlement of estates of deceased recipients.

Referred to Committee on Judiciary.

Assembly Bill No. 3182: By Messrs. Kirkwood and Gubser—An act authorizing the Director of Finance to convey certain property to the University of California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3183: By Mr. Kirkwood—An act to add Chapter 5.5 to Part 2, Division 1 of the Health and Safety Code, relating to public health.

Referred to Committee on Public Health.

Assembly Bill No. 3184: By Mr. Kirkwood—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Referred to Committee on Education.

Assembly Bill No. 3185: By Mr. Kirkwood—An act to repeal Section 13583 of the Education Code, relating to dismissal of probationary employees.

Referred to Committee on Education.

Assembly Bill No. 3186: By Mr Stewart—An act to amend Section 25301 of the Corporations Code, relating to the compensation of the Commissioner of Corporations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3187: By Mr. McMillan—An act to add Section 67.2 to the Alcoholic Beverage Control Act, relating to tax-free alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3188: By Mr. Condon—An act to amend Section 4965 of the Education Code, relating to unified school districts.

Referred to Committee on Education.

Assembly Bill No. 3189: By Mr. Condon—An act to amend Section 4343 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3190: By Mr. Condon—An act to amend Section 3866 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3191: By Mr. Condon—An act to amend Section 4668 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3192: By Mr. Condon—An act to amend Section 4714 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3193: By Mr. Condon—An act to amend Section 3671 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3194: By Mr. Condon—An act to add Section 5113 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 3195: By Mr. Condon—An act to amend Section 1594 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3196: By Mr. Condon—An act to amend Section 3603 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3197: By Mr. Condon—An act relating to political contributions by corporations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3198: By Mr. Condon—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 3199: By Mr. Condon—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 3200: By Messrs. Condon and Hagen—An act to add Section 1714.3 to the Civil Code, relating to liability for torts.

Referred to Committee on Judiciary.

Assembly Bill No. 3201: By Mr. Condon—An act to add Section 10273 to the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3202: By Messrs. Hagen and Condon—An act to amend Section 209 of the Penal Code, relating to punishment for kidnaping.

Referred to Committee on Judiciary.

Assembly Bill No. 3203: By Mr. Hagen—An act to add Section 1201.1 to the Water Code, relating to prescriptive rights in underground water.

Referred to Committee on Judiciary.

Assembly Bill No. 3204: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to add Section 1581.1 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3205: By Mr. Hagen—An act to add Section 4850.1 to the Public Resources Code, relating to cutting for lumber Sequoia Gigantea.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3206: By Messrs. Burkhalter and Kilpatrick—An act to add Chapter 13 to Division 3 of the Business and Professions Code, relating to the regulation of off-street parking.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3207: By Mr. Burke—An act making a reappropriation of funds for the construction of a National Guard Armory in or near Alhambra or in East Los Angeles County.

Referred to Committee on Military Affairs.

Assembly Bill No. 3208: By Mr. Stewart—An act to repeal Sections 1, 2, 3, 4, and 6 of an act entitled "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code," approved July 27, 1949, relating to the division of counties into judicial districts and for the determination of the population of said districts.

Referred to Committee on Judiciary.

Assembly Bill No. 3209: By Mr. Stewart—An act providing for the division of counties into judicial districts and for the determination of the population of said districts.

Referred to Committee on Judiciary.

Assembly Bill No. 3210: By Mr. Stewart—An act to amend the title, and Sections 2, 2.1, 21, 33, and 45.7, and to repeal Section 68 of the Community Redevelopment Act, and to amend Sections 33047, 33048, 33231, and 33885, and to repeal Sections 33480, 33481, 33738, 33739, and 33740 of the Health and Safety Code, relating to the redevelopment of blighted areas.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3211: By Mr. Stewart—An act to amend Section 18650 of the Government Code, relating to salaries of members of the State Personnel Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3212: By Mr. Stewart—An act to add Section 34283 to the Health and Safety Code, relating to housing authorities.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3213: By Mr. Stewart—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3214: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to amend Sections 35116, 35147, 35148, 35149, and 35150 and to repeal Sections 35106, 35107, 35108, and 35109 of the Government Code, relating to annexation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3215: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to amend Section 34303 of, and to add Section 34316.5 to, the Government Code, relating to the incorporation of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3216: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to amend Section 34302 of the Government Code, relating to the incorporation of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3217: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to add Chapter 3.5 to Part 2, Division 2 of the Government Code consisting of Sections 25275-25290, inclusive, relating to urban unincorporated areas.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3218: By Messrs. Sherwin, Stanley, Babbage, Kirkwood, Levering, and McCarthy—An act to repeal Sections 6395 and 6363 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3219: By Mr. Sherwin—An act to repeal Article 4 of Chapter 2, Division 9 of the Public Resources Code, relating to soil conservation.

Referred to Committee on Agriculture.

Assembly Bill No. 3220: By Mr. Sherwin—An act to repeal Sections 7101, 7102, 16651, 16652, 19352, 26481, and 26481a of the Revenue and Taxation Code, relating to deposits of revenues from sales taxes, bank and corporation franchise taxes, personal income taxes, and gift taxes, and to provide for refund of revenues erroneously collected from the General Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3221: By Mr. Sherwin—An act to repeal subsection (c) of Section 115 of the Health and Safety Code, relating to Public Health Fund.

Referred to Committee on Public Health.

Assembly Bill No. 3222: By Mr. Sherwin—An act to repeal Sections 125, 126, and 127 and to amend Section 124 of the Welfare and Institutions Code, relating to the Social Welfare Fund.

Referred to Committee on Social Welfare.

Assembly Bill No. 3223: By Mr. Clarke—An act to promote the sale and transportation of agricultural and other products, to eliminate impediments in connection therewith and state the policy of the State

concerning the same, to provide regulation and relief for farmers and other persons suffering damage therefrom, by repealing Chapter 8 of the Labor Code and adding a new Chapter 8 to that code.

Referred to Committee on Agriculture.

Assembly Bill No. 3224: By Mr. Dills—An act to add Chapter 3.5 of Division 3 to the Business and Professions Code, relating to auctioneers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3225: By Mr. Davis—An act to add Section 38h to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3226: By Mr. Davis—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream.

Referred to Committee on Agriculture

Assembly Bill No. 3227: By Mr. Davis—An act to amend Section 73 of the Agricultural Code, relating to fairs and expositions.

Referred to Committee on Agriculture

Assembly Bill No. 3228: By Mr. Davis—An act to add Section 1243 to the Water Code, relating to water.

Referred to Committee on Agriculture.

Assembly Bill No. 3229: By Mr. Davis—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Referred to Committee on Fish and Game

Assembly Bill No. 3230: By Messrs. Moss, Kelly, and Kilpatrick—An act to amend Section 10055 of the Business and Professions Code, relating to the salary of the Real Estate Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3231: By Mr. Conrad (By Request)—An act to repeal the Los Angeles County Flood Control Act, relating to the Los Angeles Flood Control District

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3232: By Mr. Conrad (By Request)—An act to amend Sections 16, 16a, 16b, 16c, 16d, 16e, 16½, 16¾, and 17 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3233: By Mr. Conrad (By Request)—An act to amend Sections 1, 2, 2a, 2b, 2c, 2d, 2e, and 2f of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3234: By Mr. Conrad (By Request)—An act to amend Sections 3, 3a, 3.1, 3.2, 3.3, 4, 5, and 6 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3235: By Mr. Conrad (By Request)—An act to amend Sections 17a, 18, 19, 20, 21, 22, and 23 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 38

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Bill No. 38—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 38?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "seven million eighty-seven thousand sixty-five dollars ($7,087,065) and insert "three million six hundred seventy-nine thousand six hundred fifty-two dollars ($3,679,652)".

Senate amendment read.

Point of Order

Mr. Condon arose to the following point of order: That Mr. Fleury has already spoken to the subject, and further remarks from him are not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Lowrey has already spoken to the subject, and his present remarks are not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because Mr. Maloney, instead of Mr. Lowrey, has the floor.

Demand for Previous Question

Messrs. Babbage, Luckel, Grant, Levering, and Lanterman demanded the previous question

Demand for previous question sustained.

The question being on concurrence in Senate amendment to Assembly Bill No. 38.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 38 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Brady, Condon, Crowley, Davis, Elliott, Hawkins, Lowrey, and Rosenthal—8.

Assembly Bill No. 38 ordered enrolled.

Explanation of Vote on Concurrence in Senate Amendments to Assembly Bill No. 38

We voted "No" on concurrence in the Senate amendments to Assembly Bill No. 38 because these amendments reduced the pay increase for state employees from 10 percent to 5 percent. We favor a 10 percent pay increase.

ROBERT L. CONDON
EDWARD. E. ELLIOTT

ANNOUNCEMENT

Mr. Dickey announced that the Credentials Committee of the Senate and Mr. A. Alan Post, the Legislative Auditor, are to be complimented for the forthright way in which they answered questions relating to accusations, proven to be false, which were made today in the Senate by Senator Tenney against employees of the office of the Legislative Auditor.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the State and Regional Water Pollution Control Boards be permitted to use the Assembly Chamber on Tuesday, February 20, 1951, from 10 a.m. to 4.30 p m , for the purpose of holding a joint meeting, unless it is necessary to use the Assembly Chamber for a legislative session.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 586

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 586—An act to amend Sections 274, 275, and 285.3 of the Agricultural Code, relating to apiary inspection and equipment brands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 42, of the printed bill, strike out "they", and insert "the lot or shipment".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND SEMI-FINAL REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and a Semifinal Report from the Assembly Interim Committee on Finance and Insurance Pertaining to Unemployment Insurance and Problems Related Thereto be ordered printed in the Journal in 10 point type.

(Above mentioned letter of transmittal and semifinal report will appear prior to the motion to adjourn.)

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 737
Assembly Bill No. 233
Assembly Bill No. 828
Assembly Bill No. 829

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 235
Assembly Bill No. 587

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 235—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 587—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

Bill read second time, and ordered engrossed.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 120:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 22, 1951

To the Honorable Members of the Assembly
Sacramento, California
GENTLEMEN:

Senate Bill No. 120, "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This measure makes an appropriaion of $2,000,000 out of the Flood Control Fund of 1946 to be used on a matching basis for repair and restoration of property damaged or destroyed by storm or flood.

The amount available for this purpose at present is not sufficient to meet the expenditures which will be required to repair storm and flood damage due to the recent flood conditions in Northern California. It is necessary therefore that this measure become effective at once.

I therefore recommend consideration of Senate Bill No. 120 as an emergency measure.

Respectfuly submitted,

EARL WARREN, Governor

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Senate Bill No. 120 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 120

Senate Bill No. 120—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen,

Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3236: By Mr. Conrad (By Request)—An act to amend Sections 7, 8, 9, 10, 11, 12, 13, 13¼, and 13½ of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3237: By Mr. Conrad (By Request)—An act to amend Section 3 of the Los Angeles County Flood Control Act, relating to the board of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3238: By Mr. Conrad (By Request)—An act to amend Sections 13¾, 14, 14½, 15, and 15a of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3239: By Mr. Chapel—An act to amend Section 31526 of the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3240: By Mr. Chapel—An act to amend Sections 10051, 10052, 10053, and 10055 of the Education Code, relating to courses of study.

Referred to Committee on Education.

Assembly Bill No. 3241: By Mr. Chapel—An act to provide for the construction of an armory in the City of Inglewood.

Referred to Committee on Military Affairs.

Assembly Bill No. 3242: By Mr. Hinckley—An act to amend Section 1041 of the Education Code, relating to clerks of school district governing board.

Referred to Committee on Education.

Assembly Bill No. 3243: By Mr. Hinckley—An act to amend Section 1041 of the Education Code, relating to clerks of school district governing board.

Referred to Committee on Education.

Assembly Bill No. 3244: By Messrs. Porter, Burke, Burkhalter, Grant, McMillan, Munnell, and Thomas—An act to add Section 92.5 to the Unemployment Insurance Act, relating to public employment offices.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3245: By Mr. Maloney—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 3246: By Mr. Maloney—An act making an appropriation to pay the claim of The Trade Pressroom against the State of California.

Referred to Committee on Ways and Means

Assembly Bill No. 3247: By Mr. Rosenthal—An act to amend Section 51 of the Labor Code, relating to the Director of Industrial Relations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3248: By Mr. Rosenthal—An act to amend Section 112 of the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3249: By Mr. Rosenthal—An act to add Section 2790 to the Business and Professions Code, relating to nursing schools.

Referred to Committee on Education

Assembly Bill No. 3250: By Mr. Rosenthal—An act to add Section 79.10 to the Civil Code, relating to premarital examinations.

Referred to Committee on Judiciary.

Assembly Bill No. 3251: By Mr. McCarthy—An act to add Section 690.265 to the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3252: By Mr. McCarthy—An act to amend Section 690.11 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3253: By Messrs. Rosenthal, Burkhalter, Coats, George D. Collins, Condon, and Moss—An act to add Section 31½ to the Public Utilities Act, relating to owners or holders of the voting capital stock of public utilities subject to the jurisdiction of the Public Utilities Commission; granting to said commission regulatory authority, as specified in said act, over such owners or holders owning or holding 1 percentum or more of the total voting capital stock outstanding of any such public utility; and relating to affiliated interests of such public utilities, defining "affiliated interests," granting to said commission regulatory authority over such affiliated interests, as specified in said act, and authorizing said commission to determine whether or not any corporation, person or other entity is or is not an affiliated interest within the meaning of said act; authorizing and requiring approval or disapproval, in whole or in part, by said commission of contracts, agreements, arrangements and transactions heretofore or hereafter entered into by and between public utilities and such affiliated interests, authorizing said commission to condition its approval or authorization of any such contract, agreement, arrangement or transaction and authorizing said commission to except certain contracts, agreements, arrangements and transactions from the provisions of said act; authorizing said commission to alter, amend, revise or abrogate any contract, agreement, arrangement or transaction, which said commission, theretofore, had approved or authorized; providing that no approval or authorization by said commission shall constitute approval of any matter or thing for the purpose of rate-fixing; "authorizing said commission to prohibit a public utility from making payments of money or from delivering property or any other thing of value pursuant to or from carrying out any of the provisions of any contract, agreement, arrangement or transaction not authorized or approved by said commission"; declaring that the invalidity of any part of said act shall not affect the remaining part thereof; finding and declaring that serious abuses exist in affiliated interests relationships in the public utility industry in California and that such abuses justify the enactment of the within act for the protection of the public interest; declaring said act to be an urgency measure within the provisions and meaning of Article IV of the State Constitution and finding and declaring said act to be necessary for the immediate preservation of the public peace, health and safety and that said act should take effect immediately.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3254: By Mr Davis—An act to add Section 515 to the Public Resources Code, relating to access to public hunting and fishing grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 3255: By Messrs. Gaffney and Berry—An act to amend Section 155 of the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3256: By Messrs. Gaffney and Berry—An act to add Section 670.01 to the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3257: By Messrs. Gaffney and Berry—An act to add Section 679.1 to the Vehicle Code, relating to motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3258: By Mr. Hollibaugh—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3259: By Mr. Thomas—An act to add Section 1064.5 to the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 3260: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game

Assembly Bill No. 3261: By Mr. Thomas—An act to amend Section 5325 of the Business and Professions Code, relating to the regulation of outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3262: By Mr. Thomas—An act to amend Section 5289 of the Business and Professions Code, relating to the regulations under the provisions of the Outdoor Advertising Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3263: By Mr. Erwin—An act to amend Section 1281 of the Fish and Game Code, relating to deer tags.

Referred to Committee on Fish and Game.

Assembly Bill No. 3264: By Mr. Connolly—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3265: By Mr. Connolly—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3266: By Mr. Gaffney—An act to provide for the issuance of bonds to provide an adequate System of Public Instruction.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3267: By Mr. Gaffney—An act to provide for the issuance of bonds to provide for civil defense.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3268: By Messrs. Gaffney and George D. Collins—An act to provide for the issuance of bonds to provide for an adequate System of Public Highways.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3269: By Mr. Doyle—An act to amend Section 9653 of the Revenue and Taxation Code, relating to taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3270: By Messrs. Doyle, Stewart, Burkhalter, and Kilpatrick (By request)—An act prescribing the terms upon which licenses may be issued to practitioners of psychology, creating a State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3271: By Messrs. Geddes and Levering—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3272: By Mr. Meyers—An act to add Section 8.5 to the Dangerous Weapons' Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3273: By Mr. Meyers—An act to amend Section 13108 of the Health and Safety Code, relating to the State Fire Marshal.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3274: By Mr. Meyers—An act to amend Sections 4035, 4037, and 4044 of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs.

Referred to Committee on Public Health.

Assembly Bill No. 3275: By Mr. Meyers—An act to add Division 13 to the Streets and Highways Code, relating to streets and providing for and requiring uniform systems of street name signs and numbers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3276: By Mr. Meyers—An act to add Section 11006 to the Revenue and Taxation Code, relating to vehicle license fee money allocable to cities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3277: By Mr. Meyers—An act to create the San Francisco Bay Authority and to transfer all the powers, duties and functions of the Board of State Harbor Commissioners for San Francisco Harbor to the authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3278: By Mr. Meyers—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3279: By Messrs. Dolwig and Connolly—An act to add Section 7209 to the Health and Safety Code, relating to bodies of deceased persons.

Referred to Committee on Public Health.

Assembly Bill No. 3280: By Mr. Dolwig—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3281: By Mr. Stanley—An act to add Sections 16104, 16105, 16106, 16107, and 16108 to the Business and Professions Code, and Sections 29127, 29128, 29129, and 29130 to the Government Code, relating to taxes for county purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3282: By Mr. Stanley—An act to add Sections 29127, 29128, 29129, and 29130 to the Government Code, relating to taxes for county purposes.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolution was offered:

By Mr. Dolwig:

House Resolution No. 66

Relative to providing funds for the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That the sum of two thousand five hundred ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3283: By Mr. Condon—An act to amend Section 690.11 of the Code of Civil Procedure, relating to exemptions from execution.

Referred to Committee on Judiciary.

Assembly Bill No. 3284: By Mr. Condon—An act to add Article 5 to Chapter 4 of Title 1 of Part 3 of the Penal Code, comprising Sections 2691 and 2692, relating to the unlawful segregation of prisoners in state prisons on account of race, creed, color or national origin.

Referred to Committee on Judiciary.

Assembly Bill No. 3285: By Mr. Condon—An act to amend Section 652 of the Fish and Game Code, relating to the limit and size of salmon taken by angling.

Referred to Committee on Fish and Game.

Assembly Bill No. 3286: By Mr. Condon—An act declaring state policy in regard to labor disputes, and defining and limiting the jurisdiction of state courts in relation thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 3287: By Mr. Condon—An act to amend Section 69 of the Civil Code and to repeal Section 60 thereof, relating to marriage

Referred to Committee on Judiciary.

Assembly Bill No. 3288: By Mr. Condon—An act to add Section 4606 to the Labor Code, relating to workmen's compensation, in respect to medical treatment.

Referred to Committee on Public Health.

Assembly Bill No. 3289: By Mr. Condon—An act to amend Section 5814 of the Labor Code and to add Section 5815 to said code, relating to penalty for delayed payment of award.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3290: By Mr. Condon—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3291: By Mr. Condon—An act to amend Section 30817 of the Water Code, relating to appointments in lieu of election in county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3292: By Mr. Meyers—An act to amend Section 667 of the Agricultural Code, relating to oleomargarine.

Referred to Committee on Agriculture.

Assembly Bill No. 3293: By Mr. Meyers—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to veterans' farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 3294: By Mr. Meyers—An act to add Section 675.6 to the Vehicle Code, relating to inspection of escape doors and windows on motor vehicles operated as passenger common carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3295: By Mr. Meyers—An act to amend Section 370 of the Vehicle Code, relating to registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3296: By Mr. Meyers—An act to add Section 588.5 to the Vehicle Code, relating to parking meters.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3297: By Mr. Meyers—An act to add Section 8.3 to the Dangerous Weapons Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3298: By Mr. Meyers—An act to add Section 479 to the Vehicle Code, relating to warning signs and lights upon streets which are undergoing construction or repair.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3299: By Mr. Meyers—An act to add Section 479.5 to the Vehicle Code, relating to warning signs and lights on streets which are undergoing construction or repair.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3300: By Mr. Meyers—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Referred to Committee on Transportation and Commerce.

Assembly Concurrent Resolution No. 26: By Mr. Moss—Relative to promotional examinations for state civil service.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 27: By Mr. Dunn—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

Assembly Bill No. 3301: By Mr. Burkhalter—An act to add Sections 330.1 and 330.2 to the Penal Code, relating to gaming, and to gambling places.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3302: By Mr. Morris—An act to amend Section 58 of an act entitled California Unemployment Insurance Act, relating to disqualifications.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3303: By Mr. Morris—An act to amend Section 67 of the Unemployment Insurance Act, relating to disqualifications.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3304: By Messrs. Morris and Hahn—An act to amend Section 65 of the Alcoholic Beverage Control Act, relating to punishment for violations by licensees.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3305: By Mr. Morris—An act to amend the Insurance Code by adding thereto a new section designated 10116, relating to the meaning of the word riot as used in policies of life or disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3306: By Mr. Morris—An act to amend Section 4704 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3307: By Mr. Morris—An act to add Section 4708 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3308: By Mr. Morris—An act to amend Section 4050 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3309: By Mr. Morris—An act to amend Section 5412 and to repeal Section 5411 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3310: By Mr. Morris—An act to amend Section 4800 and to repeal Section 4801 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations

Assembly Bill No. 3311: By Mr. Morris—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3312: By Mr. Morris—An act to amend Section 4850 and to repeal Section 4851 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3313: By Mr. Morris—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3314: By Mr. Morris—An act to repeal Section 4707 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3315: By Mr. Erwin—An act to add Section 103 to the Labor Code, relating to the jurisdiction of the Division of Labor Law Enforcement.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3316: By Mr. Hagen—An act to amend Section 626 of the Agricultural Code, relating to skim milk.

Referred to Committee on Agriculture.

Assembly Bill No. 3317: By Mr. Hagen—An act to amend Section 125 of the Political Code and Section 15600 of the Government Code, relating to equalization districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3318: By Mr. Evans—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 13, and 15 of, and by repealing Sections 7 and 8 thereof, and by adding Sections 7 and 8 thereto, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 3319: By Mr. Evans—An act to repeal Section 6904 of the Labor Code, relating to safeguards on railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3320: By Mr. Evans—An act to repeal Section 6906 of the Labor Code, relating to safeguards on railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3321: By Mr. McCarthy—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 3322: By Mr. McCarthy—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 3323: By Mr. McCarthy—An act to amend Section 270 of the Code of Civil Procedure, relating to the qualifications of official reporter.

Referred to Committee on Judiciary.

Assembly Bill No. 3324: By Mr. McCarthy—An act to amend Section 271 of the Code of Civil Procedure, relating to the duties of an official reporter.

Referred to Committee on Judiciary.

Assembly Bill No. 3325: By Mr. McCarthy—An act to amend Section 274c of the Code of Civil Procedure, relating to reporters for municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 3326: By Mr. McCarthy—An act to add Section 274d to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Referred to Committee on Judiciary.

Assembly Bill No. 3327: By Mr. Lyon (By Request)—An act to amend Section 28380 of the Health and Safety Code, relating to the Cannery Inspection Board.

Referred to Committee on Public Health.

Assembly Bill No. 3328: By Mr. Lyon—An act to amend Section 38f of the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3329: By Mr. Lyon—An act to add Section 42 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3330: By Mr. George D. Collins—An act to add Section 11525.1 to the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3331: By Mr. Brady—An act to add Section 25 to the Government Code, relating to claims against public districts, political subdivisions, public corporations, cities and other public bodies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3332: By Mr. Brady—An act to add Section 25 to the Water Code, relating to claims against public districts, political subdivisions, public corporations, cities and other public bodies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3333: By Mr. Brady—An act to add Section 35 to the Code of Civil Procedure, relating to claims against public districts, political subdivisions, public corporations, cities and other public bodies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3334: By Mr. Brady—An act to add Section 45.13 and 45.14 to the Unemployment Insurance Act, relating to compromises of state taxes.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3335: By Mr. Brady—An act to add Article 5, comprising Sections 6990 and 6991, to Chapter 7 of Part 1 of Division 2 of the Revenue and Taxation Code, relating to compromises of state taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 3336: By Mr. Brady—An act to amend Sections 372, 375, and 459 of the Vehicle Code, relating to licensing and registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3337: By Mr. Brady—An act to add Section 161 to the Streets and Highways Code and Section 465.1 to the Vehicle Code, relating to the use of reflectory paint on highways in foggy areas.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3338: By Mr. Brady—An act to amend Section 832 of the Civil Code, relating to lateral and subjacent support and excavations.

Referred to Committee on Judiciary.

Assembly Bill No. 3339: By Mr. Brady (By Request)—An act to add Section 3342 to the Civil Code, relating to liability for the torts of a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 3340: By Messrs. Dunn and Rumford—An act to add Section 7109.5 to the Elections Code, relating to election supplies and records.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3341: By Messrs. Dunn and Rumford—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3342: By Messrs. Dunn and Rumford—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 3343: By Messrs. Dunn, Rumford, Lincoln, Caldecott, Dickey, and Sherwin—An act to add Chapter 7 comprising Sections 6700 to 6704 inclusive to Division 8 of the Elections Code, relating to the conduct of elections to provide for the creation of the county office of Director of Elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3344: By Messrs. Dunn and Dickey—An act to add Sections 9351.4 and 20012.4 to the Government Code, relating to Members of the Congress of the United States in respect to their continued membership in State Retirement Systems.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 3345: By Mr. Dunn, Mrs. Niehouse, Messrs. Porter, Collier, George D. Collins, Moss, and Rumford—An act to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code, relating to the State Rehabilitation Center, providing for the establishment and operation thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3346: By Mr. Dunn—An act to amend Sections 40 and 41.5 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3347: By Mr. Dunn—An act to amend Section 18004 of the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3348: By Mr. Dunn—An act to add Section 19.1 to the Alameda County Flood Control and Water Conservation District Act, relating to the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 to the Alameda County Flood Control and Water Conservation District Act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3349: By Mr. Dunn—An act to amend Section 2804 of the Streets and Highways Code, relating to the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3350: By Mr. Dunn—An act to amend Sections 9603, 9606, and 9701 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3351: By Mr. Dunn—An act to amend Sections 9603 and 9606 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3352: By Messrs. Collier and Sherwin—An act to amend Sections 9906.1, as added by Chapter 66 of the Statutes of 1950, First Extraordinary Session, and 9906 and 9907, of the Government Code, relating to reports and statements of legislative representatives.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3353: By Mr. Belotti—An act to provide for the acquisition of Fort Humboldt as a state monument, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3354: By Mr. Belotti—An act to provide for establishing and maintaining a museum of natural history, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3355: By Mr. Elliott (By Request)—An act to amend the Educational Code of California relating to the establishment and maintenance of free school lunch rooms in the schools of California.

Referred to Committee on Education.

Assembly Bill No. 3356: By Messrs. Moss, Fleury, and Henderson—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3357: By Mr. Maloney—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 3358: By Mr. Maloney—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Referred to Committee on Judiciary.

Assembly Bill No. 3359: By Mr. Brady—An act to amend Sections 951 and 953 of the Elections Code, relating to primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3360: By Mr. Coats—An act to add Section 471 to the Government Code, relating to congressional districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3361: By Mr. Coats—An act to add Section 492 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3362: By Mr. Hawkins—An act relating to hearings on initiatives to the Legislature, and creating a joint legislative committee therefor.

Referred to Committee on Rules.

Assembly Bill No. 3363: By Mr. Waters—An act to amend Section 28021 of the Government Code, relating to classification of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3364: By Mr. Gaffney—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 3365: By Messrs. Dunn and Rumford—An act to amend Section 2621 of the Elections Code, relating to declaration of candidacy.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3366: By Mr. Hagen—An act to amend Sections 55.6 and 55.65 of the Alcoholic Beverage Act, relating to the sale of wine.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3367: By Messrs. Doyle and Erwin—An act to add Section 1078 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 6, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Senate Joint Resolution No. 6—Relative to the All-American Canal Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 51

By Mr. Sam L. Collins:

House Resolution No. 51

Relative to initiative measures presented to the Legislature

WHEREAS, Section 1 of Article IV of the Constitution of the State of California provides that, when an initiative petition proposing a law is presented to the Legislature, the law so proposed must be either enacted or rejected without change or amendment by the Legislature within 40 days from the time it is received by the Legislature; and

WHEREAS, Such measures are required to be presented to the Legislature as soon as it convenes and organizes in general session which ordinarily is the first day of the session; and

WHEREAS, The Constitution also provides that the Legislature may meet in general session for not more than 30 days and thereupon must recess for not less than 30 days; and

WHEREAS, If the 40-day period within which the Legislature may act is the first 40 calendar days after the receipt of the measure including the days within the mandatory recess the time within which the Legislature may act would be drastically reduced because the Legislature may not constitutionally be in session more than 30 days prior to the recess, and it was, in fact, in session for only 15 days prior to the constitutional recess of the 1951 General Session; and

WHEREAS, At the time the constitutional amendment relating to initiative measures was proposed to the people the sessions of the Legislature were continuous and no recess was required to be taken and under such conditions the Legislature would have had 40 full calendar days within which it could act upon initiative measures presented to it; and

WHEREAS, The constitutional amendment providing for the bifurcated session and the mandatory recess was proposed later than the constitutional amendment relating to initiative measures and both proposals were adopted at the same election; and

WHEREAS, There is nothing to indicate an actual and deliberate intent on the part of the people in adopting the provision for the bifurcated session to reduce the period within which the Legislature may act upon initiative measures presented to it; and

WHEREAS, It has proved impossible for the Legislature adequately to consider and act upon the important measures presented to it at its 1951 General Session prior to the constitutional recess and had it attempted to take hasty action upon such measures the results might have been improvident; and

WHEREAS, It is essential to the proper functioning of a legislative body that action should be taken only after due deliberation and consideration of all of the aspects of a matter coming before it, and any limitation on the time within which it must act should be construed to allow as much time as possible for the legislative process to function in a normal manner, and

WHEREAS, The constitutional provision in question is susceptible to the construction that the 40 day period is to be calculated as the first 40 days during which the Legislature is in actual session excluding the period of the mandatory recess; now therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby asserts and claims the right to act on any initiative measure presented to it during the full period of 40 days while the Legislature is in actual session after the receipt by it of such measure, excluding from such 40 day period the days of the mandatory constitutional recess

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 66

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up House Resolution No. 66, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 66

By Mr. Dolwig:

House Resolution No. 66

Relative to providing funds for the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 64

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Brady asked for, and was granted, unanimous consent to take up House Resolution No. 64, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 64

By Mr. Brady:

House Resolution No. 64

Relative to continuation of direct air route travel from Sacramento, California, to Washington, D. C., via United Air Lines—and the dismissal by the Civil Aeronautics Board of the Proceeding (Docket 3660) which would eliminate the segment of the United Air Lines direct route between Chicago, Illinois, and Washington, D. C.

WHEREAS, Since 1943, by virtue of a certificate of public convenience and necessity granted by the Civil Aeronautics Board, United Air Lines has provided a direct route of air transportation between San Francisco, California, and Washington, D. C.; and

WHEREAS, This has brought Sacramento, the capital of the State of California, in direct route via San Francisco with the capital of the United States of America; and

WHEREAS, The Civil Aeronautics Board has currently instituted a proceeding to determine whether public convenience and necessity require elimination or suspension of United Air Lines' through service to Washington, D. C.; and

WHEREAS, The elimination of the Chicago-Washington, D. C., segment of the direct route would necessitate a changing of planes in Chicago before one could proceed from the West Coast to Washington, D. C.; and

WHEREAS, The presence of the "Chicago Bottleneck" for years had been constantly discommoding surface travel because of the necessity of changing trains and we should not permit air transport to find itself in the same unfortunate position; and

WHEREAS, California is the fastest growing state in the Nation and as such has unusual community of interest with the Nation's capital; and

WHEREAS, The service provided by United Air Lines is of vital importance to the heavily populated and strategic areas which it accommodates, and is particularly necessary, in uncurtailed form, at the present time when international as well as domestic exigencies demand that air transport facilities between the Nation's capital and its defense centers be maintained at a maximum level of efficiency; and

WHEREAS, The only direct one-carrier service from Sacramento, capital of California, to Washington, D. C., capital of the Nation, is along the route now in question; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby wholeheartedly endorse and support the petition of United Air Lines to the Civil Aeronautics Board to dismiss the proceeding (Docket 3660) which menaces Sacramento's direct air service to Washington, D. C.; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution and to forward same to the Civil Aeronautics Board, Delos W. Rentzel, Esq., Chairman, to the Chairman of the Congressional Delegation from California, Honorable Cecil R. King, and to the United States Senators from the State of California, Honorable William F. Knowland, and Honorable Richard Nixon.

Resolution read, and adopted unanimously.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 67

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Tuesday, January 23, 1951, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 67, at this time, without reference to committee or file.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 63

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 63, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 63

By Mr. Dolwig:

House Resolution No. 63

Relating to printing of reports of Legislative Representatives

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly shall have printed in the Journal of the Assembly on the first and last day of each regular session names of such persons as are registered with the Legislative Auditor as legislative representatives, and the organization they are representing.

Resolution read.

Motion to Re-refer House Resolution No. 63

Mr. Condon moved that House Resolution No. 63 be re-referred to the Committee on Rules.

Mr. Collier seconded the motion.

Substitute Motion

Mr. Kirkwood moved that House Resolution No. 63 be re-referred to the Committee on Legislative Representation.

Mr. Collier withdrew his second to the motion by Mr. Condon, and seconded the motion by Mr. Kirkwood.

Motion carried.

House Resolution No. 63 ordered re-referred to the Committee on Legislative Representation.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 23
Assembly Joint Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 120

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT RELATIVE TO CERTAIN BILLS BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that a statement relative to certain bills be ordered printed in the Journal in 10-point type as follows:

STATEMENT SUBMITTED BY MESSRS. DUNN, GEDDES, AND KIRKWOOD IN EXPLANATION OF THE MAJOR PROVISIONS OF A. B. 1984, 1985, 1986, 1987, 1988, 1562, 2061, AND 3109

ASSEMBLY, CALIFORNIA LEGISLATURE, January 23, 1951

It is believed that the following statement will more clearly indicate to the reader the major changes in the Education Code than will a perusal of the actual bills. It also shows where any of these bills contain similar provisions or suggested alternative changes.

Assembly Bill 1984

The bill proposes to place school support on the basis of the *current* average daily attendance rather than on the a d a. for the *preceding* fiscal year; to increase the amounts allowed as basic aid, to raise the foundation programs at all levels. to liberalize allowances for transportation and purchase of school busses and transportation of the physically handicapped, and to revise the method of computing average daily attendance.

Current Support (A. B 1984)

The present plan under which the State reimburses school districts for attendance in the *preceding* year, giving some partial aid for growth would be supplanted by one in which the schools would be paid for the cost of educating the number of pupils *currently* in attendance.

Because of rapid growth many districts now face the problem of educating far more children than they have money for.

Under the terms of A. B. 1984 the initial computation of state aid due each district still would be based on the average daily attendance recorded in the preceding year, but supplemental apportionments would be made not later than February 15th and June 30th for current attendance in excess of that of the preceding year. These apportionments would be based on current attendance reports on December 15th and May 31st.

The above plan would take the place of the existing formula under which some state assistance is given those districts experiencing the most rapid growth and having the least ability to raise money locally. The present graduated scale of aid, which is geared to the assessed wealth of the district and under which the district absorbs only a portion of the burden of growth, would be eliminated.

The State Department of Education estimates that if current levels of state support are retained the proposed plan of reimbursing districts for growth would increase state costs by $11,500,000 per year. However, if the foundation programs are increased in accordance with other provisions of this bill the cost of placing state aid on a current basis would be $14,500,000.

Assembly Bill 2061

(This bill has similar provisions to A. B. 1984 for current reimbursement.)

Basic Aid (A. B. 1984)

This provision calls for an increase in what is known as basic aid, the amount which the State pays all school districts without regard to their ability to raise money from local tax sources. At present basic aid is $90 per year for each unit of average daily attendance. That is the minimum permissible under provisions of the State Constitution. A. B. 1984 would increases the amount to $97.

Assembly Bill 1986

(This bill provides for an increase in basic aid from $90 to $100 instead of to $97 as in A. B. 1984.)

Assembly Bill 1984

Foundation Programs

Foundation programs are the minimum amounts which the State guarantees will be available for the education of each child providing the school district shoulders its share of the cost by levying a specified local tax. If the yield of the local tax when added to the basic aid is less than the foundation program the State gives the district sufficient aid to raise the total to that of the foundation program.

A. B. 1984 proposes to increase not only the foundation program at each level of education, but also to increase the local tax which a district must levy to qualify for state aid.

Elementary

The present foundation program of $148 per child guaranteed with a district tax of 45 cents on each $100 of assessed valuation, would be upped to $185 with a 65-cent tax Special provisions would be made for necessary schools with small enrollments and for districts with extremely low assessed valuation. This change would cost an estimated $30,000,000.

High School

The high school program would be increased from $185 with a 32-cent district tax to $210 with a 40-cent tax. Provision also would be made for the small and the poor high schools. The increased cost is estimated at $2,500,000 a year.

Junior College

The junior college program would be raised from $210 with a 22-cent district tax to $250 with a 25-cent tax at a yearly cost of $1,700,000.

Transportation

Limits state transportation aid to districts to $3 per unit of average daily attendance in all schools and classes instead of the present maximum of $4,700,000 per year. Stricter control of the amounts allocated for current transportation expenses and purchase of school busses is authorized.

Districts unified since July 1, 1948, would be compensated by the State for purchase of busses made necessary by changes in attendance centers (schools) at any time during the first five years of unification instead of only during the first year, under terms of the bill.

The above changes would increase state costs for transportation over 1950-51, by an estimated $700,000 a year.

An allowance of $350 a year in excess of other allowances would be made for the transportation of each pupil of the following categories: Deaf, blind, cerebral palsied and orthopedically handicapped.

Minimum School Year (A. B. 1984)

To encourage more complete use of school facilities and to give longer training to the pupils the bill would increase the minimum school year from 170 days to 175 days and would fix 175 instead of 170 as the divisor in the computation of average daily attendance for purposes of determining state aid.

Assembly Bill 1987

(This bill establishes 175 days as the divisor for computation of average daily attendance in districts maintaining school 175 days or more, *but* retains the existing minimum school year of 170 days; provides that districts operating schools from 170 to 175 days shall use as the divisor the actual number of days school was maintained. This change would cost $1,100,000 a year.)

Improved District Organization (A. B. 1984)

As an incentive to reorganization $5 would be added to the foundation program at each level for unified districts formed after July 1, 1950. This incentive would continue for five years.

Cigarette Tax

The bill calls for a tax of 2 cents on each package of cigarettes, the proceeds to be deposited in the General Fund rather than to be earmarked. The tax would be imposed on the wholesaler and would be administered by the State Board of Equalization. To prevent "Bootlegging" a meter would be used to mark each package on which the tax is paid. No tax would be levied on cigars or tobacco.

Assembly Bill 1985

This bill is identical to A. B. 1984 except that the provisions for a cigarette tax are not included.

Assembly Bill 1988

Re-enacts without material change the existing provisions of the Education Code which expires June 30th for operation of the apportionment program. These provisions are necessary regardless of the amount of state aid fixed by other statutes.

Assembly Bill 2061

This measure continues in effect the existing apportionment law for the support of the public kindergartens, elementary schools, high schools, and junior colleges (Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code) exactly as that law existed on January 8, 1951, except in the following major respects:

1. *Transportation Aid to Districts.* Article 2 of Chapter 15 of Division 3 is revised (by repeal and addition) to (a) eliminate the numerous technical errors which appear in the article as enacted by Chapter 74 of Statutes 1950 First Extraordinary Session, (b) permits the Superintendent of Public Instruction to exercise more strict control over the allowance of transportation aid to districts, (c) provide that the maximum amount which may annually be apportioned by the Superintendent of Public Instruction for transportation aid to school districts shall not exceed three dollars ($3) per unit of average daily attendance in all schools and classes instead of the present maximum of $4,700,000 per year. Under Assembly Bill No. 2061, as under the present law, all transportation aid up to an amount equal to two dollars ($2) per unit of the average daily attendance upon which the maximum amount of transportation aid is based, must come out of the $120 per unit of average daily attendance which the Constitution requires to be provided for the support of the public schools, and only the remainder of the maximum

is an additional charge upon the General Fund. It is estimated that the additional maximum cost to the State of this provision for the Fiscal Year 1951-1952 over the maximum amount allowed under the existing law will be approximately $700,000.

Provisions for current reimbursement are similar to provisions in A. B.s Nos. 1984 and 1985.

Assembly Bill 1562

This bill provides for an increase in teacher salaries from the minimum provided by the Constitution of $2,400 to $3,000. It applies only to regularly certificated teachers. It does not apply to those holding emergency credentials.

Assembly Bill 1316

This measure amends Sections 10752 and 11005 of the Revenue and Taxation Code.

The bill increases the license fee for motor vehicles from two (2) percent of the market value to three (3) percent of the market value. It further provides that the receipts of the fee, after deducting, as at present, amounts for the support of the Department of Motor Vehicles and retirement of state highway bonds, shall be apportioned in equal share to counties, cities, and the Auxiliary State School Fund instead of, as at present, equally between cities and counties.

The Auxiliary State School Fund is required to be apportioned annually to the school districts of the State pro rata on the basis of average daily attendance.

The additional revenue which the bill will provide for the support of public schools during 1951-1952 will be between $28,000,000 and $30,000,000, with the cities and counties receiving like amounts. The measure will not decrease the revenue which the cities and counties are entitled to receive under the existing law.

Assembly Bill 3109

Increases the maximum rates of local taxation which school districts may levy without the necessity of first obtaining approval at a special election. The new schedule of maximums would replace those fixed in 1932.

Following are the proposed changes:

Elementary without kindergarten—from 80 cents to $1.50.

Elementary with kindergarten—90 cents to $1.60.

High school—75 cents to $1.35.

Junior college—35 cents to 50 cents.

The schedule for unified districts:

Elementary and high school—from $1.55 to $2.85.

Kindergarten, elementary and high school—$1.65 to $2 95.

Elementary, high school and junior college—$1.90 to $3 35.

Kindergarten, elementary, high school, and junior college—from $2.00 to $3.45.

High school and junior college—$1.10 to $1.85.

Assembly Bill 1562

Increases the minimum salary for fully trained and credentialed teachers from $2,400 a year to $3,000 a year. The constitutional minimum of $2,400 would remain for emergency and provisional teachers.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED AS SEPARATE DOCUMENT AND 2,000 COPIES BE PRINTED

Mr. Dunn asked for, and was granted, unanimous consent that the above statement be printed in 10-point type as a separate document, and that 2,000 copies be ordered printed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney and Maloney:

House Resolution No. 68

Relating to funds for widening of highways from San Francisco to San Jose

WHEREAS, The Federal Government, under the Federal-Aid Highway Act of 1950, has available funds for use by the states in developing and improving their highway systems; and

WHEREAS, There presently exists an urgent need for the widening of the highways from San Francisco to San Jose because of the military importance of these highways; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Public Works is requested to include within any applications for federal funds through the Federal-Aid Highway Act of 1950, a request for funds for the widening of highways from San Francisco to San Jose; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works.

Resolution read, and ordered referred to the Committee on Rules.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Senate Bill No 24 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 24

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None.

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—Geddes, Hollibaugh, Levering, and Luckel—4

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Senate Bill No. 25 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 25

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Caldecott, Lincoln, Kirkwood, Lindsay, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 25.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Sherwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Grant Mr. Sherwin Five Additional Minutes

Mr. Hahn moved that five additional minutes be granted Mr. Sherwin for the purpose of debate.

Mr. Doyle seconded the motion.

Motion carried.

The question being on the adoption of the urgency clause to Senate Bill No. 25.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—Chapel, Dills, Evans, Geddes, Hahn, Hollibaugh, Kilpatrick, Levering, and Morris—9.

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—Chapel, Dills, Evans, Geddes, Hahn, Hollibaugh, Kilpatrick, Levering, and Morris—9.

Bill ordered transmitted to the Senate.

COMMITTEE FROM THE SENATE

Senators Donnelly, Sutton, and Brown appeared before the bar of the Assembly, and announced that the Senate had concluded its labors.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Stewart:

Resolved, That Senate Bill No. 488 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 488

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Stewart:

Resolved, That Senate Bill No. 172 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 172

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—Chapel, Dills, and Hollibaugh—3.

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—Chapel, Dills, and Hollibaugh—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Mr. Stewart asked for unanimous consent to take up Senate Joint Resolution No. 9, at this time.

Mr. George D. Collins withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Maloney moved that the Rules be temporarily suspended for the purpose of considering Senate Joint Resolution No. 9, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Waters, and Mr. Speaker—58.

NOES—Chapel, George D. Collins, and Condon—3.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

Senate Joint Resolution No. 9—Relative to the rights of the State of California to tide and submerged lands lying along the Coast of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that each member is to leave instructions in his desk relative to the shipping of his papers, along with his proper mailing address.

RESOLUTIONS

The following resolutions were offered:

By Mr. Waters:

House Resolution No. 69

Resolved, That the Speaker appoint a Committee of Three to wait upon the Governor and inform him that the Assembly is ready to adjourn for the constitutional recess.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up House Resolution No. 69, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 69, Speaker Sam L. Collins announced the appointment of Messrs. Waters, Evans, and Munnell as such Select Committee to wait upon the Governor.

By Mr. Fleury:

House Resolution No. 70

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready to adjourn for the constitutional recess, and ask if the Senate has any further communications to make to the Assembly.

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up House Resolution No. 70, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 70, Speaker Sam L. Collins announced the appointment of Messrs. Hollibaugh, McFall, and Fleury as such Select Committee to wait upon the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Concurrent Resolution No. 14

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 14—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 14?

Amendment No. 1

On page 1, line 2, of the printed measure, strike out "cyclone", and insert "tornado".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 14 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen,

Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Mr. Speaker—57.

NOES—None

Assembly Concurrent Resolution No. 14 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 28

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 28—Relative to John B. (Bing) Maloney.

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 28

Senate Concurrent Resolution No. 28—Relative to John B. (Bing) Maloney.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Mr Geddes announced that authors of bills which have been referred to the Committee on Finance and Insurance who desire to submit authors' amendments should do so at the meeting of said committee to be held on March 12, 1951, in room 432, at 8 p.m.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report on Riding and Hiking Trails by the Assembly Interim Committee on State-wide Riding and Hiking Trails Development be ordered printed in the Journal in 10 point type.

(Above letter of transmittal and final report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND 500 ADDITIONAL COPIES BE PRINTED

Mr. Dolwig asked for, and was granted, unanimous consent that the above report be ordered printed as a separate document in 10 point type, and that 500 copies be printed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported it had performed its duties.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported it had performed its duties.

CONSIDERATION OF HOUSE RESOLUTION NO. 42

By Messrs. Kilpatrick, Burke, Hagen, Meyers, and Mrs. Niehouse:

House Resolution No. 42

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Correction

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) and its members and for any charges, expenses or claims incurred under said resolution or under House Resolution No. 297, 1949 Regular Session, or House Resolution No. 28, 1951 Regular Session, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer; and be it further

Resolved, That in addition to any other subjects which the committee may investigate or report upon, it may also investigate and report upon the use, acquisition, possession, sale or importation of narcotics and other habit-forming drugs as a criminal problem.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No. 42, as it appears on page 522 of the Assembly Journal of January 16, 1951, and insert

"*Resolved by the Assembly of the State of California*, That in addition to any money heretofore made available, the sum of five hundred dollars ($500) or as much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) for the purpose of preparing

the committee's final report to the Legislature, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer."

Amendment read, and adopted.

Consideration of House Resolution No. 42, as Amended

By Messrs. Kilpatrick, Burke, Hagen, Meyers, and Mrs. Niehouse:

House Resolution No. 42

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Correction

"*Resolved by the Assembly of the State of California*, That in addition to any money heretofore made available, the sum of five hundred dollars ($500) or as much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) for the purpose of preparing the committee's final report to the Legislature, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer."

Resolution read, as amended.

The roll was called, and House Resolution No. 42 adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Maloney, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, and Thomas—42.

NOES—Babbage, Belotti, Chapel, Cloyed, Collier, Conrad, Erwin, Grant, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, McCarthy, McGee, Moss, Sherwin, Smith, Tomlinson, and Waters—25.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Legislative Committee on Community Redevelopment and Housing Problems with Particular Reference to Legislation Supplementary to Federal Legislation.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 10, of the printed measure, as amended in the Senate on January 18, 1951, strike out "those members of the"; strike out lines 11 and 12; and in line 13, strike out "committee", and insert "the Speaker of the Assembly is empowered to appoint five Members of the Assembly and the Rules Committee of the Senate is empowered to appoint five Members of the Senate to said committee".

Amendment No. 2

On page 1, line 27, of said measure, strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

ANNOUNCEMENT

Mr. Waters announced that the Subcommittee on Elections and Reapportionment, relative to investigating election charges against Mr. Parker, has deliberated all day; and that a motion was made in committee that Mr. Parker be exonerated and hold his seat on the floor of the Assembly; and that the final action of this committee will be publicly announced later.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3

Senate Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States to declare Solano County, State of California, a critical defense area for the purpose of obtaining financing of housing construction.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 4

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States to provide for military access roads to Travis Air Force Base.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 172
Senate Bill No. 488

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER TO FRANK SEBASTIAN

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to Mr. Frank Sebastian, President and Manager of the Hotel Senator, and thank him, on behalf of the Members of the Assembly, for his courtesy in arranging the beautiful legislative party held tonight, and his hospitality as a host.

Upon request of Speaker Sam L. Collins a rising vote of thanks was given Mr. Frank Sebastian.

BEST WISHES EXPRESSED

Mr. Maloney expressed, on behalf of the Members of the Assembly, best wishes to Mr. Meyers who plans to be married on February 3d; to Mr. Conrad who plans to be married on February 10th; and to the daughter of Mr. Evans, who also plans to be married on February 10th.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 235	Assembly Bill No. 335
Assembly Bill No. 327	Assembly Bill No. 566
Assembly Bill No. 329	Assembly Bill No. 575
Assembly Bill No. 332	Assembly Bill No. 587

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 327 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 329 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 332 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 335 re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 586

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 1.30 p.m.—

Interim Committee on Governmental Reorganizations, in Room 430.

At 1.45 p.m.—

Rules, in Room 319.

Upon recess at noon—

Interim Committee on Elections and Reapportionment, at desk of Mr. Waters.

Revenue and Taxation, in Room 432.

Upon afternoon recess—

Agriculture, in Room 320.

At 7.45 p.m.—
Rules, in Room 319.

It was announced that the following committee would hold no meeting tomorrow night:
Municipal and County Government.

FINAL REPORT TO THE LEGISLATURE BY THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC HEALTH

Members of the Committee

HON. JOHN F. THOMPSON, *Chairman*
HON. CLAYTON A. DILLS
HON. GLENARD P. LIPSCOMB
HON. H ALLEN SMITH
HON. ARTHUR H. CONNOLLY, JR, *Vice Chairman*
HON. AUGUSTUS F HAWKINS
HON. W. BYRON RUMFORD
G. A. SPAULDING, *Executive Secretary*

RESOLUTION CREATING COMMITTEE

By Messrs. Thompson and Connolly:

House Resolution No. 237

Relative to the creation of the Assembly Interim Committee on Public Health

WHEREAS, Experience has shown that, in order to protect and safeguard the public health, there is a continuous need for legislation on numerous subjects; and

WHEREAS, In order to enable it to consider and enact proper legislation relating to public health, it is necessary that the Assembly be fully informed on all facts relating to those matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon public health including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

LETTER OF TRANSMITTAL

Hon. Sam L. Collins
Speaker of the Assembly
California State Legislature

DEAR MR. SPEAKER: Pursuant to House Resolution No. 237 of the 1949 Legislature, your Interim Committee on Public Health was organized and does herewith submit its final report, together with the committee's recommendations and findings.

During the 1949 and 1950 Sessions of the Legislature several bills were referred to this committee for study, i.e., acute alcoholism, dangerous drugs and related subjects, chronic diseases, investigation of certain institutions, physio therapy, the practice of physical therapy, private cemeteries, chiropractors and their methods of practice, regulations of privately owned ambulances, and many other problems.

During the 1950 Session of the Legislature a preliminary report was submitted and some of the findings and recommendations made prior to the 1950 Session were reported on, and will thus be eliminated from this final report.

The committee wishes to acknowledge its appreciation for the cooperation and assistance rendered it by the medical directors and their staffs of the various state institutions; Dr. Wilton L. Halverson, Director of the Department of Public Health, and his assistants; to Dr. Frank Tallman, Director of the Department of Mental Hygiene, and members of his staff; the Members of The State Pharmacy Board; The Board of Chiropractic Examiners; to the District Attorney's Office in San Francisco; to Dr. George Uhl, City Health Officer for the City of Los Angeles; Ben H. Read of the Public Health League of California; J. A. Sullivan of the County Mental Health Department of Los Angeles, and to the many others whose wholehearted cooperation and assistance in gathering the material, made this report possible.

Respectfully submitted,

JOHN F. THOMPSON, Chairman
ARTHUR H. CONNOLLY, JR., Vice Chairman
AUGUSTUS F. HAWKINS
CLAYTON A. DILLS
GLENARD P. LIPSCOMB
W. BYRON RUMFORD
H. ALLEN SMITH

INTRODUCTION

The many phases presented to the Assembly Interim Committee on Public Health on various subjects necessitated the committee holding several meetings from Ukiah to Los Angeles in order that all sections of the State could be properly heard by those interested in the many subjects confronting the committee.

Such subjects as state hospitals, chronic diseases, acute alcoholism, radiotherapy, dangerous drugs, physiotherapy, chiropractors, and many others were requested by those interested in the above subjects.

The committee endeavored in all cases to give both sides of any controversies a fair and impartial hearing.

Because of the need of additional time in order to make a thorough and complete study of some of the important problems, it was a physical impossibility to fully complete these studies and it is the belief of the committee that another Interim Committee on Public Health should be created in order to fully bring to the attention of the Legislature the need for legislation to correct sections in our codes that will benefit and protect the people of the State of California.

The committee has spent many months in research and investigations of all phases of the protection of the health and safety of the people of the State of California, and it is hoped that this report will better enable the Members of the Legislature to pass upon the many bills that will be introduced relative to this important phase of the lives of our citizens.

COMMITTEE MEETINGS

August 5, 1949— Planning for the agenda of committee ..... San Francisco
September 9, 1949—Committee organization meeting ..... Sacramento
November 3, 1949—Tre Monte meeting ..... San Jose
November 7, 1949—Department of Public Health meeting ..... San Francisco
November 11, 1949—Meeting with physiotherapists and study of Mary E. Burke Foundation ..... Los Angeles
February 10, 1950—Committee meeting on acute alcoholism ..... San Francisco
August 1, 1950— Committee visited Mendocino State Hospital ..... Ukiah
August 2, 1950— Committee visited Sonoma State Hospital ..... Eldridge
August 3, 1950— Committee visited Napa State Hospital ..... Napa
October 12, 1950— Committee meeting on chronic diseases ..... Los Angeles
October 13, 1950— Committee meeting on radiotherapy, dangerous drugs, and acute alcholism ..... Los Angeles
October 14, 1950— Committee meeting on physiotherapy ..... Los Angeles
November 17, 1950—Committee meeting on chiropractic treatments (Dr. L. A. Brinkley) ..... Los Angeles

MENDOCINO STATE HOSPITAL

The Assembly Interim Committee on Public Health met in the Superintendent's Office of the Mendocino State Hospital on August 1, 1950. In addition to the committee members present there was also Mr. A. Edward Nichols, representing the Department of Mental Hygiene.

In the absence of Dr. David B. Williams, Superintendent and Medical Director of the hospital, Dr. Bramkamp, the Assistant Superintendent, received the committee. Chairman Thompson opened the meeting saying in part: "For one thing, I think the members of the Legislature should have a little better idea of what is taking place in the various state institutions regarding their problems, so that when legislation is placed before committees and on the floor of the Legislature, that the members themselves will have a better knowledge of what is going on and what is needed in the way of financial assistance via the budget."

Dr. Bramkamp explained some of the situations such as over-crowded conditions, the maximum security ward, conditioned reflex treatment, sexual psychopaths, psychopathic delinquents, and alcoholics, and suggested a tour of the hospital showing the committee what was taking place and how treatments for the various patients were administered. Before starting on the tour Dr. Bramkamp gave the committee a physical plan of the Mendocino State Hospital. In brief, this is what he said:

"The Mendocino State Hospital was established in 1893. It is located near the village of Talmage, Mendocino County, and is about 120 miles north of San Francisco, which contains the nearest medical and teaching centers.

"At present the total acreage of the institution is 1215. A little more than half of this acreage is devoted to some productive farm operations, such as dairy, hog ranch, poultry farm, orchards, gardens and field crops."

Following is the annual report on farming operations at the Mendocino State Hospital for the period commencing July 1, 1949, to June 30, 1950:

Mendocino State Hospital—Department of Mental Hygiene
Annual Report of Farming Operations for the Period July 1, 1949, to June 30, 1950

	Total value production per analysis	Expenses charged to production: Direct expenditures per statement	Local products consumed per statement	Adjustment of livestock inventories	Total net charge for production	Excess production value over expenses
Farm (field crops)	$19,357 24	$29,681 61	$5,152 32	$3,065 03	$37,898 96	—$18,541 72
Dairy	170,938 19	67,054 10	27,104 86	625.00	94,783.96	76,154 23
Hog ranch	44,619 23	19,938 22	5,465 82	1,867 50	27,271 54	17,347 69
Poultry ranch	40,714 60	29,293 91	2,820 95	953 70	33,068 56	7,646 04
Orchard	7,959 40	2,640 00	58 05	--	2,698 05	5,261 35
Vegetable garden	59,514 96	9,356 82	1,443 15	--	10,799 97	48,714 99
Stable, tractor	9,191 11	6,818.62	1,592 47	--	8,411 09	780 02
Food processing	52,035.32	18,185 01	31,933 87	--	50,118,88	1,916 44
TOTALS	$404,330 05	$182,968 29	$75,571.49	$6,511.23	$265,051 01	$139,279 04

Summary of Production

Total value farm production—as above	$404,330 05	
Less value local products consumed in production	182,968 29	
Net value farm production		$221,361 76

UNIT COSTS

	Dairy	Hog ranch	Poultry ranch
Total Net Charge for Production—as above	$94,783 96	$27,271 54	$33,068 56
Deduct Value Minor Products *—per analysis			
Beef (cow)	3,576 30	--	--
Beef (steer)	--	--	--
Veal	746 05	--	--
Hides, cow	98 20	--	--
Hides, calf	31 14	--	--
Chickens	--	--	3,932 66
Turkeys	--	--	--
Livestock sold	26,704 20	--	--
Hogs sold	--	4,554 99	--
TOTAL VALUE MINOR PRODUCTS	$31,155 89	$4,554 99	$3,932 66
Net charge for milk production	63,628 07	--	--
Total gallons of milk produced *	238,093 8	--	--
Cost per gallon for production	2672	--	--
Net charge for pork production	--	22,716 55	--
Total pounds (dressed) of pork produced *	--	129,639	--
Cost per pound for production	--	1752	--
Net charge for egg production	--	--	29,135 90
Total dozens of eggs produced	--	--	79,410
Cost per dozen for production	--	--	.3669

* "Minor products" should not include products made from the "major" products such as cream, skim milk, butter, ham, bacon, etc., but total production of milk and pork should include total fresh milk and pork produced

Dr. Bramkamp further stated: "Most of the physical plant was built a number of years ago, and many of the buildings are far from modern. The last ward built was a ward for chronic female patients, housing approximately 300 patients. This was completed about 1938.

"The current population is approximately 2,716, of which 1,623 are men and 1,093 are women. The normal capacity of the present buildings is rated at 1,426 men and 971 women. This gives an excess population of 319, of which 197 are men and 122 are women, making a total of 13.3 percent overcrowdedness. The patients are housed in 25 words. A number of these wards have been found inadequate or improper for several reasons, and are due to be replaced. The wards in the main building housing approximately 700 patients provide adequate housing facilities, but because of the fire hazard none but ambulatory patients can be kept in these wards. Two outside male wards, housing 200 patients, and two outside female wards, housing approximately 150 patients, fall in the same category. Under orders of the State Fire Marshal these buildings are also due for replacement.

"The admission ward is fairly modern, and houses 24 female and 25 male patients. This building also contains the surgery, dental offices, laboratory, X-ray department and hydrotherapy department, as well as a few apartments for employees. Although these admission wards are considered adequate for their original purpose, the facilities are now considerably strained for a number of reasons. The more important of these are the following:

"Most of the injured and seriously ill patients of the hospital now have to be cared for on the admission wards, because of the State Fire Marshal's ruling that the sick wards previously used are now in buildings scheduled for a replacement, and cannot contain bed patients. Moreover, the increase in the number of special treatments, such as conditioned

reflex treatment, insulin therapy, electric shock therapy, etc., required beds needed for newly admitted patients, and seriously strain the capacity of these two small wards.

"Another ward deserving special mention is the criminal ward which now houses approximately 300 patients, and is only one of its type in the State. This is a maximum security building which is of fireproof construction, and provides adequately modern housing, although it is considered inadequate in other respects for the carrying out of current psychiatric practices."

The following are excerpts from the Annual Statistical Report submitted by Dr. William to Dr. Frank F. Tallman, Director of the Department of Mental Hygiene:

General

"During the year, in accordance with the policy of the department, there was a considerable increase in active thereapy in a number of fields as will be noted later in the report. This was accomplished despite personnel shortages in several important classifications and was made possible because of the full and enthusiastic cooperation of all the hospital employees, particularly the ward attendants. The fields in which the most marked increase in activity occurred are the following:

Attendants Training Program
Occupational Therapy
School for delinquents on maximum security ward
Research into, and active treatment for sexual psychopathy.

"The insulin ward was continued in operation throughout the year but facilities and personnel did not permit its enlargement. An average of 101 patients were treated during the year.

"The conditioned reflex treatment was also continued and it is proving worthwhile in a considerable percentage of patients.

"More active use was also made of consulting staff and most of the members of our staff have been encouraged to make regular visits to the hospital rather than wait when called for some special problem. These consultations have also been of great assistance in providing informal instruction in their specialties to members of the medical staff. Our inability to obtain the services of a neuro-surgeon made it impossible for us to perform any lobotomy operations Efforts are being made to obtain the services of a qualified neuro-surgeon from San Francisco and it is hoped that we will be able in the future to do a number of lobotomies for those patients for whom this operation is indicated. However, some operations are being performed at the Langley-Porter Clinic in San Francisco.

"Construction continued on four major building projects; the new kitchen and feeding unit, chronic male ward with a capacity of 404, female disturbed ward with a capacity of 90, and female convalescent ward with a capacity of 164. Construction projects planned for the immediate future are an auditorium and library, administration building, hospital and treatment unit added to the present Admission Building. Current plans are to convert the present Ward 10 into a commissary and recreation building. The wrecking of several old and condemned

buildings is also planned as soon as the new wards are made available, which will probably be in the early part of 1951.

"There have been difficulties in filing all of our positions, both in the professional and non-professional categories.

Personnel

"As of June 30, 1950, the following positions were filled as compared with the number of positions authorized in the budget:

	Positions filled	*Positions on budget*
On the medical staff	11	16
On the nursing staff	15	25
In the attendant classification (including charges and supervisor)	372	395
Other Personnel		
Support	37	40
Administration	40	40
Care and welfare (other than staff, nurses and attendants, technician)	12.2	20.5
Maintenance	34	34
Farm	25	27
Extramural care (social welfare)	1	3

"There have been two 80-hour in-service training courses for new attendants of 20 each, and two courses for the older attendants, who have received additional rating on their experience. to a total of approximately 150. Another course for new attendants with a class of about 20 will be started soon.

"Special training in occupational therapy is planned for the current fiscal year. Efforts will be made for attendants to receive credit for hours of training in occupational therapy with a qualified instructor. In cooperation with the health officer of the institution, training is to be given all attendants in food handling and general sanitation.

"As of June 30, 1950, the hospital was not accredited for resident training; however, every effort is being made to comply with the American Medical Association requirements and it is hoped that approval for residents will be obtained in the near future. The institution has been accredited by following:

American Medical Association Registry

American College of Surgeons

California Department of Medical Examiners for Residency

State of California Department of Education two years residency in Psychiatry under Public Law 346.

"During the year staff physicians testified on 97 cases in the Mendocino County Superior Court. The volume of court work is gradually increasing as more patients under court jurisdiction are being received and released. The work of the staff in these cases is a part of their regular duties and at present six physicians are certified to act as medical examiners in the superior court.

Special Medical Therapy

"During the year individual and small group psychotherapy on a regular and active plan was offered primarily to two groups of patients; the alcoholics and sexual psychopaths With the cooperation of the department, an active program for the investigation and treatment of sexual psychopathy was initiated. A well qualified psychiatrist was added to

the staff and the department's plan is to set up additional positions to enable the physician to engage in an active research and treatment program. These positions include one assistant physician, a senior clerk, senior clinical psychologist, and a psychiatric social worker. Despite the lack of the other employees needed for the sexual psychopath program, it is being worked on actively by the physician in charge and it is hoped that personnel will soon be available to permit a rapid expansion. The figures for the patients receiving active psychotherapy are as follows: Alcoholics average over 12 patients twice weekly, with a total of 1,248 sessions. Sexual psychopaths average over 15 patients twice weekly, with a total of 1,560 sessions.

"Electric shock therapy was continued during the year and this form of therapy was often administered as a preliminary to insulin shock therapy, the figures on which are given below:

	Number of patients	*Number of treatments*
Intensive electroshock	469	2,008
Patients completed treatment	79	----
Maintenance electroshock	29	----

There were no deaths during the year directly attributable to electroshock treatment. The percentages of marked improvement and recovery do not differ significantly from those which have been reported in the literature.

"Electronarcosis was not used as an alternative technique during the year.

"The number of insulin shock treatments given during the year are as follows:

	Number of patients	*Number of treatments*
Insulin shock	101	5,626
Percent improved	13%	----
Percent marked improved	11%	----
Percent recovered	16%	----
Deaths due to insulin	----	----

Statistically, there is no significant difference from last year's figures.

"During the year the only treatment given for syphillis of the central nervous system was penicillin, and the number of treatments given are as follows:

Number of patients treated: 54
27 patients received 9,000,000 units, a total of 4,860 injections
23 patients received 15,000,000 units, a total of 6,900 injections
3 patients received 9,000,000 units, a total of 69 injections (fortified penicillin)
1 patient received 10,000,000 units, a total of 199 injections (unfinished course of 15,000,000 units)
Number of patients improved: 25 percent

"Our current plan of treatment does not include malaria in the ordinary case and, at present, we are obtaining the best results with a course of 15,000,000 units of penicillin, usually given in doses of 50,000 units in the soluble form, at intervals of three hours.

"Chromotherapy is not employed regularly at this time.

"During the fiscal year no lobotomies were performed in this hospital.

Routine Medical and Surgical Therapy

"A clinical laboratory was maintained during the year and practically all of the services suited to the needs of the hospital were available. A full-time laboratory technician was on duty during this period. During the year microscopic pathological work was performed by the pathologists at Langley Porter Clinic or the University of California.

"A full-time X-ray technician is also on duty, and in addition to this an electroencephalographic technician is employed full-time. He operates the electrocardiograph and the electroencephalograph and assists in the X-ray department.

"During the year a clinic employing two full-time nurses was maintained in addition to the general surgery where an average of four nurses was employed full time. The activities of these two units are listed below:

Surgery:	
A. General Surgery (excluding lobotomy)	
1. Minor operations	42
2. Major operations	13
B. Orthopedic	
1. Major operations	5
2. Minor operations	29
C. Gynecological	
1. Major operations	0
2. Minor operations	2
D. Genito-urinary	
1. Major operations	0
2. Minor operations	4
E. Obstetrical	
1. Major operations	0
2. Minor operations	0
F. Legal Sterilization	
1. Major operations	2
2. Minor operations	0

"During the year one full-time dentist was on duty and another full-time dentist was employed December 1, 1949. There were two dental assistants.

"One of the staff physicians with considerable experience in pathology has been designated our pathologist and he performs the post-mortem examinations during the year. There were 112 deaths and 23 autopsies performed, a percentage of 20.5.

"The autopsies are frequently attended by members of the staff and the findings are informally discussed by them.

"The physiotherapy and hydrotherapy are administered by two full-time technicians. They are qualified to give continuous tubs, packs of various kinds, massage and heat treatments, heat cabinet treatments, Sitz baths, Scotch and fan douches. Approximately 3,674 treatments were administered during the year in the hydrotherapy departments.

"Two civil service employees are employed full-time in classification of occupational therapist. Their time is primarily spent in the shops. In addition, three employees not so classified under civil service, are doing full-time work on the wards as occupational therapists. During the year a number of new activities were initiated; among these were finger painting, ceramics, carving in plaster, fly tying, basket weaving, embroidery, crocheting, knitting, and copper work. In addition, patients have been

given material and assistance and are encouraged to make their own dresses on the wards, and during the period from February 15, 1950, to September 25, 1950, after the program was started, 122 dresses were made.

"It is to be especially noted that the above projects are actually carried out on the wards by patients who are in too poor mental condition to go to the regular shops and the attendants actively assist both the therapist and the patient and are carrying out the work. In this way, considerable more occupational therapy is possible because of the constant daily contact of the attendants with the patients

"The following is a list of the number of patients engaged in institution maintenance activities:

	On ward	*Off ward*
Male	639	458
Female	377	110

Patients are employed in the following occupations about the hospital, as part of their treatment, and as an incidental assistance to the maintenance and operation of the hospital:

	Number of patients
Cannery	6
Sewing room	13
Tailor shop	42
Mattress shop	4
Shoe shop	5
Paint shop	4
Carpenter shop	4
Miscellaneous	35

"During the year a full-time employee who was a licensed beauty operator was employed in beauty treatments for the patients. Space had not been found for the installation of a beauty shop but by the end of the fiscal year, space was arranged for, equipment for this purpose was purchased, and a full-time shop started as of July 1, 1950. During the year the services offered by the operator were permanent waves, finger waves, and haircuts. A considerable percentage of the operator's time was spent in instructing the ward attendants in the giving of haircuts; as a result there was a great improvement in the appearance of the patients' hair. During the year the following were given:

Permanents	126
Haircuts	232
Finger waves	166

"There is no employee at the hospital having a civil service status as recreational therapist. However, one employee devotes full time to recreational therapy and another relieves on her days off, so that there is a full-time recreational therapist on duty daily. Recreational therapy is also considered part of the duty of all attendants, doing general ward work, and excellent cooperation has been received.

"The following recreational activities are available to patients:

(a) Ballroom dancing every Saturday afternoon and folk dancing every Monday night in the auditorium.

(b) Daily activities on the wards consist of bingo, community singing and phonograph concerts.

(c) Movies are held every Friday afternoon and Saturday morning in the auditorium Special moving pictures are shown on wards once a

week. Certain wards are shown movies twice a week; all wards see movies at least once a week.

(d) Special dances are held on holidays. During the summer months picnics are held for approximately 1,200 patients. During the summer season softball games are held on Sunday mornings.

(e) Vaudeville shows are held for patients for various occasions. These shows are produced by the patients. The patients also have their own M. S. H. dance orchestra; also a choral group to furnish entertainment for special occasions.

(f) Approximately 300 men and women attend Saturday dances. Approximately 175 men and women attend folk dancing. Approximately 600 men and women attend shows.

(g) Recreational therapy is extended to all wards. Each evening bingo parties are given with candy bars as prizes for the winners. Everyone joins in community singing. Musical quiz games are played. Phonograph record concerts are enjoyed. Refreshments will be served.

Most of the patients are held on the wards at night.

Plans are now in preparation to give one-act skits during these ward evenings.

Ward 12 has their own recreational director who programs activities there. They hold a regular movie once weekly, and special pictures are given during the week, attended by approximately 250. This ward has a choral group, also.

Bingo, cards, checkers, etc., are daily activities.

"No music therapist is available at this hospital but during the year the recreational therapist brought music to the wards fairly regularly. The principal mediums were records and choral group singing. A new portable public address system with attached record player was acquired during the year and was in frequent use both for ward parties and dances.

"Church services are held weekly by the various denominations represented by the patient population. Services are conducted by local ministers, who are paid by the hospital for their assistance. There is no chapel on the grounds, but the hospital auditorium is used for religious services.

Special Programs

"There is no juvenile unit at this hospital. Some juveniles are admitted as patients; these are usually classified as psychopathic delinquents and are nearly adult physically. They are housed with older patients but some special facilities are provided for them such as the school which is described below.

"The School for minors on Ward 12 was reorganized March 28, 1950. John W. Taylor, County Superintendent of Schools, decreed that the Talmage Emergency School on Ward 12 would receive county assistance. To carry out the program, a qualified teacher and supervisor was assigned to the hospital.

"There are 56 patients, 40 under the age of 21; later two additional patients enrolled. Each patient was tested by Tiegs and Clark's progressive achievement tests under the supervision of the hospital clinical psychologist. Mental ages ranged between five and 14 years. The school was divided into three divisions; basic, intermediate, and advanced; classes

according to individual aptitudes. Separate classes in reading, language, and arithmetic were set up in each of the divisions. In addition, special voluntary classes in music, civics, and art were scheduled.

"The physical plant consists of a classroom, specially painted and lighted in a manner conducive to study. Arm chairs, library books, text books, athletic equipment, classroom supplies, visual and auditory aids; the property of Mendocino County schools, were made available by the county superintendent of schools. Books from the county circulating library are available to the patients. Extra classes are held in the day room and dining room when the space is available. Instruction is being given by selected volunteer attendants, who are assisting in teaching and making their lesson plans by the county school representative. The three "R" are being taught by attendants teams, four men being employed part-time, which assure continual coverage of subject matter. Music consists of singing and musical appreciation, taught by a very talented and well-trained attendant Physical training is conducted by another attendant. It consists of volley ball, ping pong, soft ball, and horse shoe tournaments. A special course in civics is designed to assist those patients who are in line to be transferred off the ward Part of the classes are being conducted by a teacher hired by the State.

"School is held five days per week, each week, between 8.45 a. m. and 3 30 p. m , making a 300 minute school day. Two sets of grades, one for academic achievement and the other for citizenship, are given each patient. Patients who qualify academically are eligible to receive an elementary school diploma, issued by the county superintendent of schools of Mendocino County, California.

"Results of the school are encouraging. Recheck tests on outgoing patients show an improvement of between one and three grades of elementary school for the three months period. To date, none of the patients transferred from Ward 12 who attended school have been returned to Ward 12. Plans for further schooling of transferred patients on Ward 15 are in process.

"The alcoholic program described in previous reports was continued during the year. Our current program for alcoholics includes a two-month period of hospitalization in the average case. During this period the patient receives the routine complete physical and psychiatric examinations. Group orientation meetings are held by a social worker who spends a major part of his time with the alcoholics. Therapeutic group meetings are also held later. Active participation of Alcoholics Anonymous meetings are held each week. Patients are urged but not compelled to attend these meetings. The ward physicians are available for individual interviews as needed. Shortly before the patient's release, the conditioned reflex treatment is given on a voluntary basis to those who have been recommended for it by staff conference. The results in those receiving conditioned reflex treatment are as follows:

Admitted to C. R. T. Laboratory	321	
Treatments given	1487	
Patients relapsed	67	(21%)
Patients re-treated	47	

"There was no change in the physical facilities of the maximum security unit during the year. As of June 30, 1950, the ward population was classified as follows:

1026 P. C.	37
1368 P. C.	50
Prison transfers	7
Sexual psychopaths	3
Hold for sheriff	14
Psychopathic delinquents	33
Federal hold	2
Transfers from Sonoma	34
Miscellaneous	58
	238

"Two major population changes occurred during the year; these were the transfer of approximately 70 psychotic prisoners to San Quentin Prison by order of the Governor, and the admission of 62 patients from Sonoma for maximum security. (Some of these later were transferred individually.)

"An active library is maintained for the patients and except for nominal staff supervision, it is entirely operated by patients who satisfactorily perform all the work necessary for the operation of the unit. Small libraries are maintained on some of the wards. The library now has a total of 4,500 volumes; during the year approximately 3,000 volumes were loaned.

"Figures on the medical library are as follows:

Number of medical books	325
Number of medical journals received monthly	14
Number of nursing journals received monthly	3

Outpatient Clinic

"No regularly scheduled outpatient clinic is maintained at the hospital; however, as noted earlier, the psychologist was of considerable assistance to the local schools as well as problem children referred by physicians in this area. The staff physicians also do a certain amount of outpatient work on a rotating basis; usually the cases seen by them are referred by local physicians or are brought in by relatives for consultation and advice.

Research and Publications

"Ordinarily the regular diagnostic staff conferences are devoted to the discussion of the cases at hand, but on an irregular and informal basis, parts of these conferences are often devoted to discussions of matters of general scientific and clinical interest. Usually academic discussions of psychiatric problems are held at separate times. They are held at weekly intervals in the afternoon, and currently semi-monthly seminars are being held in the evenings, under the supervision of the acting clinical director.

"The principal research project currently in progress is that connected with diagnosis, classification, and treatment of sexual psychopaths. As mentioned earlier, the staff to expand this program is not yet available and no report of impressions and findings is possible at this time. The investigation of sexual psychopaths is to be coordinated with a similar project being carried out at Langley Porter Clinic and it is understood that some funds available for this purpose will be diverted to augment the program in this hospital."

During the tour of the hospital Dr. Bramkamp explained that Mendocino State Hospital was one of the smaller state hospitals. He explained that the majority of criminals committeed to state hospitals were sent to Mendocino together with most of the sexual psychopaths from the northern part of the State, Norwalk getting those from the south. He further explained that most of the psychopathic delinquents came from other institutions such as Preston, Lancaster, Sonoma, etc. There are approximately 85 to 100 patients of this kind at all times in the Mendocino State Hospital.

There is a constant population of between 100 and 125 alcoholic patients and there is an average of between 35 and 40 admitted each month. Alcoholics are usually kept for about two months during which time treatments are administered.

Mendocino State Hospital is the principal institution for the criminally insane, of which there is an average of about 300 at all times.

As a conditioned reflex treatment was about to be given, Dr. Bramkamp asked the committee if they would be interested in observing the treatment and its reactions. The committee agreed that it would be very educational and accompanied Dr. Bramkamp to the clinic. Dr. Bramkamp explained the theory of the conditioned reflex which does not get to the fundamental cause of drinking. It is based on Russian experiments on dogs. They found that by gradually exposing them to two stimuli such as ringing a bell and at the same time placing food before them, that they could condition them to the point that when you ring the bell and produce the food, or even without producing the food, the ringing of the bell would produce a salivary condition conducive to eating. In the case of alcoholism they reverse the situation and create an aversion to liquor. An injection is given the patient which causes nausea and vomiting and an aversion to liquor at the same time So over a period of six sessions (treatments), which is an average course, they become so conditioned to this liquor that when they pour it into them it creates such a degree of nausea that if they walk by a saloon and smell liquor they become sick. There is some similarity to antabuse but the patient has to keep taking it right along. That makes them deathly sick and it is not being used here. Langley Porter tried it and had such bad reactions that they discontinued the use of antabuse.

The question was asked what percentage of alcoholics are believed to be permanently cured by this conditioned reflex treatment, and Dr. Bramkamp stated that about 25 percent of those given the treatments returned for further treatment, 25 percent are never heard from again, so it is estimated that approximately 50 percent are recovered by this conditioned reflex treatment.

After an alcoholic patient is released from the hospital and where it is possible to have a social worker follow-up their treatment to help them to re-establish themselves, it has been found to have helped very materially. If a patient was released and left on his own the treatment would be in most cases a wasted effort. These treatments are all voluntary on the part of the patient and no patient is given the conditioned reflex treatment unless he volunteers on his own accord. About 50 percent are individuals from "Skid Row" and many of them come from subnormal

financial environments. A very small percentage of those treated are women. Out of 36 patients in the alcoholic ward at the present time only four are female. The average number of women in the alcoholic ward varies from four to six per month. Out of the 36 alcoholics only eight are receiving the conditioned reflex treatment. Some patients having various ailments such as stomach hemorrhages, hernias, high blood pressure, cirrhosis of the liver, etc., cannot take the treatment.

Commitments from 1942 through 1950 are as follows:

1942	1,353
1943, slightly over	1,000
1944	700
1945	870
1946	1,202
1947	1,373
1948	1,808
1949	2,316
1950, ending June 30th	2,718

It will be noted that during the war years commitments dropped considerably.

These are broken down into two classifications—those alcoholics diagnosed as being alcoholic with and without insanity The "withouts" are in the majority. In 1949 the figure was 1,743 without psychosis and 573 with psychosis

If a patient is financially able to do so he pays the full rate of $60 a month, but if he is unable to pay he is given the treatment just the same. About 25 percent of all patients in state institutions pay anywhere from $20 to $60 a month, which reimburses the State to approximately $3,000,000 a year, while the operating expenses of the hospitals are approximately $30,000,000 a year.

The patient that the committee observed taking this treatment was a young man 34 years old who was about to receive his fifth reconditioned reflex treatment.

Dr. Bramkamp stated: "In applying the psychological considerations to the treatment of alcoholism, the action of certain nauseant drugs is utilized to elicit the unconditioned reflex of nausea and vomiting. The sight, smell and taste of alcoholic beverages when used as the conditioning stimulant will initiate reflex activity at the centers of nausea and vomiting. A distaste is thus created for the conditioned stimilus amounting to a strong and definite aversion to the sight, smell and taste of liquor."

Within the next 25 minutes the patient was given slightly less than a fifth of whiskey (some liquors confiscated by the Board of Equalization are given to the hospital), six bottles of beer (room temperature), and a quantity of gin, rum, wine and water.

The doctor explained that the patient must "bounce this stuff back" and that timing was the biggest item. The technician administering this treatment must get the patient when he is ready to vomit to take a drink at that particular moment, for if he did not, the amount of liquor inside his system might kill him.

After the treatment the doctor explained that the patient would have very little alcohol left in him at the end of the treatment but that he would more than likely be sick from four to six hours afterward.

A patient is given from four to seven of these treatments, usually one a day, depending upon the individual case. The first treatment consists of five or six drinks, the second of four drinks of whiskey and ½ ounce of gin, the third of 12 or 13 drinks, the fifth as many as the patient the committee observed taking the treatment. The total time taken for a conditioned reflex treatment is from 45 days to two months. During the time a patient is confined to the hospital he is visited by Alcoholics Anonymous about twice a week, a social worker holds classes twice a week—a form of group therapy, where each patient has a chance to express himself—all this in addition to the work the doctor does with him. The patients are ordinarily assigned to some light job around the hospital and they observe regular hours daily. Mendocino State Hospital is the only institution using this conditioned reflex.

Dr. Bramkamp explained that at Shadell's in Seattle a patient pays $750 for this same treatment. The patients at Mendocino pay what they are able but not more than $60 a month, and they are able to care for about 10 patients at a time.

In making a tour of the hospital the committee visited the male admission ward and it was explained to the committee that the criminally insane are admitted to the maximum security ward and those patients who are too disturbed go to the disturbed wards. All patients are kept in the receiving ward a few days until it is made sure that they have no contagious diseases, etc. Here they are furnished with state hospital clothes. The receiving ward is a ward of five single rooms and sometimes it is necessary to double the patients up in order to take care of their admission. The daily average admission rate at Mendocino is less than at most state hospitals, receiving from 800 to 1,000 a year. During the month of July there were 70 new patients received, of which 36 were alcoholics. It was brought to the committee's attention that out of the 13,000 admissions in all of the state's mental hospitals, approximately 2,000 were alcoholics. Mendocino is specializing in the treatment of alcoholics and sex psychopaths.

In visiting the dining room it was explained to the committee that the ration for the hospital is set by the Sacramento office and runs about 3,000 calories a day plus vitamin, protein, and carbohydrates in proportion.

The committee was informed that the noon time meal consists of stew, roast beef or roast pork, potatoes and vegetables. The evening meal usually consists of rice, macaroni or a spaghetti dish, and tea. The old and toothless patients who might choke on uncooked food get a soft diet, and ill patients and patients who refuse to eat get special feedings by tube or intravenous. Sedentary and active workers receive somewhat different diets, but in general they are the same. The attendants eat in the dining room adjoining the kitchen and have a little different menu. One of the aims of the department is to equalize it as much as possible. Beans of various types are fed twice a week, with plenty of vegetables and prunes.

Six hundred thousand dollars a year is the ration allowance for the hospital. One-half of that amount was raised on the hospital property. The various institutions trade excess products back and forth such as vegetables, dairy products, and meat. It was brought to the attention of

the committee by Dr. Bramkamp that the hospital has an excellent herd, and that quite often they raise a champion (beef, pork, or mutton) at Mendocino.

The committee inspected the facilities of the various wards, the dining rooms, etc., and found everything to be quite modern and cheerful, with brightly upholstered furniture taking the place of old drab wooden furniture found in the institutional dining rooms of the past.

The committee also visited the staff conference room where the doctors meet regularly and where each patient is brought in individually to talk with the staff. Afterward his case is discussed and diagnosed and treatment recommended.

Dr. Bramkamp stated that Mendocino had a few narcotic addicts, at the present time only six. The treatment for narcotics consists merely of withdrawal plus interviews with the doctors, etc. These patients are kept a minimum of three months. The treatment requires considerable psychology, because the withdrawal is immediate and sometimes the patients get sick. But as a rule the treatment is satisfactory. Instead of being fairly miserable for two or three weeks they are quite sick only four or five days. If they get too sick they are administered a small dose, just a few grains.

The tour continued through the women's ward where is was brought to the committee's attention that there were beautiful painting (water colors) on the walls which had been done by a woman patient. The doctor explained that this patient was in a bad mental condition, but her work was very beautiful. The dining room was painted in soft pastel colors which had replaced the flat walls in all the mental institutions of the State. While in the dining room the noon day meal arrived which consisted of beef stew, carrots, apple sauce, bread and milk.

While on the subject of food and meals, Dr. Bramkamp explained that the food arrived from the main kitchen in large aluminum cans transported all over the premises by a special truck. There being no facilities at all for keeping the food hot, it arrived in luke warm condition, making it rather unpalatable by the time it was dished up and served to the patients. Steam tables have been requested but have not as yet been approved by "Sacramento."

The committee next visited the industrial shop where all sorts of arts and crafts were being conducted by the patients under the guidance of a staff adviser and his assistant. They work about eight hours a day in the shop and here one will find all types of patients. A newspaper—*The Pomo News Weekly*—is published by the patients. A patient interviewed the committee and a copy of the interview as was published in the next weekly paper is as follows:

"The State Assembly Interim Committee on Public Health, headed by its chairman, John F. Thompson, of San Jose, visited M. S. H. last Tuesday for the purpose of getting first-hand information on the needs of the state mental institutions to present them to the next meeting of the Legislature. Other state hospitals to be included on their tour of inspection at this time are Sonoma and Napa. Later, all the hospitals will be visited.

"Other members of the committee making the trip are: George A. Spaulding, Sacramento, Executive Secretary of the committee; Mrs.

Christine B. Harrison, Legislative Secretary of the California State Assembly; August F. Hawkins, Sixty-second Assembly District, Los Angeles; William Byron Rumford, Seventeenth District, Berkeley; William Young, San Jose, Special Investigator for the committee; and A. Edward Nichols, Administrative Adviser, Department of Mental Hygiene.

"The committee were met, and accompanied on their tour of inspection by Dr. R. G. Bramkamp, acting superintendent. The tour included the model dairy, hog ranch, fruit and vegetable farm, industrial shops, wards, new buildings under construction, kitchen and storerooms. The committee were much interested in the conditioned reflex treatment, and the insulin "shock" ward.

"The members took time out from their busy schedule to stop and chat with a number of patients in the wards and in the shops.

"Shortly after Governor Warren took office, he declared his intention of placing California second to none among the states in the treatment and care of the State's mental patients. His broad and comprehensive program of construction and improved equipment, of the California State Hospitals, and the attention focused on the State's mental problem by the Legislature and its committees, and the Department of Mental Hygiene, have gone a long way in recent years toward accomplishing this goal."

There were workers in wood, ceramics, painting (oil and water color), copper and other metal work, and the patients also make various kinds of jewelry and other gift objects. About 32 workers a month use the shop in addition to the occupational therapy carried on in the wards such as sewing, embroidery, etc. The committee feels that they definitely need more room, which will be compensated for in part by the occupational therapy rooms being planned for all the new wards.

The shop has need for an electric kiln to fire the ceramics. There is a gas kiln in the shop which is obviously impracticable for that type of patient to use and which is too dangerous to be used, and therefore has never been put into operation. In the meantime, there are hundreds of completed ceramics taking up space until such time as a kiln is provided for their firing. The completed objects are all for sale and the proceeds go for the patients' amusement fund. Some of the patients are very skillful as wood carvers, and good wood is needed for this purpose. At the present time wood from orange crates is being used for this particular craft, and the copper used in making trays, etc., is copper sheeting which was removed from an old building that had been demolished.

The committee next visited the "disturbed wards." In the women's "disturbed wards" the nurse in charge has been there for 21 years and the committee observed that the patients all seemed to place a great deal of confidence in her. She took a great deal of pride in showing the committee the handiwork of her patients—dresses which they had made for themselves and for each other, as well as other hand work and embroidery. It was brought to the committee's attention that materials for this work were badly needed, and only a small amount was received from outside for individuals interested in assisting these patients. Some of these materials could be of the expendable type for the more disturbed patients whose work is of a negligible character, but it was found there

was a great need for the better material for the patients to embroider so that the articles when finished could be sold. The profits from the sale of these articles could then be used to buy more materials. It was felt, however, that more important than the profit angle was the therapeutic angle—that more material would keep more patients busy—which in turn keeps the patients calmer and happier. Also the committee found that there is a great need for sheet music, song books, etc., as there were several patients in the particular ward visited who could play the piano, but at the present time only one patient in the ward who played for the committee could play by ear, there being no sheet music or music books of any kind in the ward. So for that reason the others who were able to play could not do so.

The committee also found a need for sewing machines as well as pianos and music. (There are 11 women's wards but only three pianos.) Recreational material of all kinds is badly needed so that instead of simply "sitting" they can entertain themselves by playing games or reading. It was suggested by the nurse in charged that possibly some of the service organizations and civic clubs might be inspired to contribute games, books, magazines and prizes.

About 35 out of the 86 women in the ward visited by the committee make their own dresses. There are 1,093 women patients with 300 more or less working on and off. Therefore the need for more equipment as well as personnel for occupational therapy is apparent.

It was brought to the attention of the committee that there was a great need for a canteen for the patients where they could relax over a soda and buy candy and magazines, etc. It would have a definite therapeutic value.

The committee next visited the kitchen where all of the food was prepared for the institution. The original kitchen is still being used, and it is most inadequate There are no facilities for preparing anything but boiled foods, and at meal time the food is distributed in aluminum cans by truck to the various buildings. There are absolutely no facilities for keeping the food hot, so it arrives in varying stages of coolness which makes it most unappetizing. However, a new kitchen is being built and will be ready for occupancy in about three months, and the old kitchen will be abandoned completely. The new kitchen will have large ovens so that the patients and personnel can be served roast meats and other baked dishes Modern electrical equipment of all kinds will be installed—coffee makers, mixers, potato peelers, deep freezers, walk-in coolers, refrigerators, etc. The most important feature of the new kitchen appeared to be the fact that it would do away with the time-honored boiling and stewing of unappetizing meals. The hospital has its own vegetable gardens, a complete dairy to process the milk from its own herds, its own butcher shop, etc.

The maximum security building was next visited by the committee, where the criminally insane are kept. They saw the cell blocks and spoke to some of the patients. They saw the tailor shop where all the men's clothing for the institution is made. The patients (prisoners) work there so it is a form of occupational therapy, but it is also a production scheme Their cutting machine can cut from 200 to 300 garments in 30 minutes.

Jeans, shirts, underwear and slippers are made in the tailor shop. Scraps from the other garments are utilized to make the slippers. Ordinarily they make only garments for their own institution, but occasionally they will accommodate some other state institution; for instance, when the De Witt Hospital needed some restraining jackets the Mendocino Tailor Shop made them for De Witt at cost. The tailor shop definitely needs air conditioning. It was very hot and unpleasantly stuffy. The shop should be enlarged, as there are many available patients that could occupy themselves by working and have so signified their desire.

The committee visited the classroom where the patients may go to school. The instructor stated that he had 56 pupils—40 of them under the age of 21. The county superintendent of school's office is interested in this school and is very cooperative. Many of the students are psychopathic delinquents.

The educational program is divided into three categories: basic, intermediate and advanced; and they are divided into three sections each: reading, language and arithmetic, with a total of nine basic courses. These classes are supplemented with music, drawing, art courses, and a civics class to help the men about ready to go out, teaching them in a simple fashion the responsibilities they will have to meet on the outside as citizens.

The instructor said the hospital had never had any trouble from any who have gone through the school. None have ever come back to the institution

The school runs from day to day all the year around. The county superintendent's office pays the teacher's salary and supplies the text books, supplies, etc It is set up as an emergency school for the county, and as such is supported by county funds. However, in the final analysis, the county is not saddled with the expense because the State reimburses the county. There is also one hospital teacher—a man brought in by the hospital who is a state employee. All other teachers are "attendant teachers." The instructor holds conferences with them and helps them set up their teaching plans. Some classes are very good and do a fine job with the patients—some of whom cannot read or write, and they advance from one to three units in just a few months. Of course they receive a very concentrated course.

The instructor is authorized to give a graduation diploma, which gives no indication that the education was secured at the Mendocino State Hospital. Students range from 14 to 37 years of age.

It was brought to the attention of the committee that with all types of patients in the Mendocino Hospital, they have less mechanical restraint than at any other state hospital.

The next ward to be visited was a women's ward where the women had freedom of action. Most of them were assigned to jobs where they spent the day and came back to the ward to sleep. The beds looked comfortable and had inner-spring mattresses, but it was noticed by the members of the committee that they had no lockers or even a bedside table where they could keep their personal possessions. The result was that all of them carried bags around with them which contained their personal belongings It was explained to the committee that the current budget has $1,500 set aside for individual lockers for each of the new wards now

under construction, and each patient will have a bedside commode which will have one drawer and a small cupboard to hold his belongings.

The committee then inspected the new buildings under construction which should be ready for occupancy some time in November. Six hundred sixty-six new beds will replace the wards to be torn down. Since there are 878 beds in the units to be wrecked that leaves them 212 beds short of what they have now. However, the new receiving hospital will have 163 beds compared to the present receiving hospital which has only 40 beds.

Following is the treatment program for alcoholics at Mendocino State Hospital as prescribed by David B. Williams, M.D., Superintendent and Medical Director, and Gordon McWhirter, Th B., Psychiatric Social Worker:

At Mendocino State Hospital there is a *map* for the care and treatment of the alcoholic patient. For the first time at a state hospital in California the court-committed alcoholic patient has been offered a treatment specifically indicated for creating in the patient physical aversion to alcoholic beverages. This "conditioned aversion treatment" was initiated at Mendocino State Hospital in March, 1948, under the sponsorship and cooperation of the State Department of Mental Hygiene. This effort to lend practical and effective help in the problem of alcoholism has developed into the "Mendocino Alcoholic Program" (M. A. P.).

Alcoholism Is a Sickness. The Mendocino Alcoholic Program is an effort to combine and apply available therapies in an active and aggressive attack on *alcoholism as a sickness.* Through the interest and participation of the patient as well as of the hospital staff something has been started in the way of efficient and effective treatment for both the inpatient and the patient on leave of absence from the hospital More remains to be done to provide adequate treatment, through increased hospital facilities and through research and experiment with new techniques.

Conditioned Aversion Treatment (Cat). The conditioned aversion treatment is not new nor are its limitations unknown. As a therapy, specific in its application and measurable in its results, it has been found, however, to be both a focus point and a stimulus for a program that should combine all resources, medical and social, that may help the patient, his family and the community in tackling together America's No. 4 Health Problem—the problem of alcoholism!

Limitations of "Cat." The conditioned aversion treatment (cat) is not offered as a cure for alcoholism. Excessive drinking is a symptom of other troubles, personal and social, for which no direct cure has been found. "Cat" consists of the physiological conditioning of autonomic bodily reflexes in order to create in the patient an aversion to alcoholic beverages. This "conditioned aversion" helps the patient to extend his period of sobriety—to remain "dry" longer. While he is sober the patient has an opportunity to make use of other helps, other therapies, in an effort to bring about the personal and social adjustments necessary if he is to be able to discontinue his futile effort to drink his way out of his troubles

The Drinker Must be Treated. The problem in the treatment of alcoholism, of course, is the drinker and not the drinking. But the alcoholic patient cannot stop drinking long enough to accept and make use

of the medical and social treatment he needs in order to stop drinking! This condition is only aggravated when the alcoholic patient is punished and threatened as an offender instead of being offered appropriate medical, social and psychotherapeutic help.

A Treatment Program. While the conditioned aversion treatment has been the "spark" for the Mendocino Alcoholic Program it is the *entire treatment program* that must be taken by the patient, and taken back to his community by him, if he is to be helped successfully. The patient who enters the hospital expecting definite and tangible help will find that he is wanted and welcome. He is encouraged not only to "take" treatment but to "give" it by *participating* in the program. The patients have responded to this and increasingly they are taking the M. A. P. idea home with them. Others in the community learn of the treatment program and both new and readmitted patients are found to be more favorably disposed for successful treatment.

"Sobriety Expectancy" Extended. Those patients who have had the conditioned aversion treatment have greatly increased "sobriety expectancies" when they leave the hospital. It is only while the "on leave" patient is dry that the plan of treatment can successfully be carried forward with him by the extra-mural psychiatric social worker.

The Plan of Treatment. To the previous program at the hospital there has been added:

1. The conditioned aversion treatment.
2. Regular Alcoholics Anonymous meetings.
3. Regular group psychotherapy sessions.
4. A beginning recreation program.
5. More intensive follow-up service (in S. F.)

The entire program includes, with the above:

6. Physical, mental and psychiatric examination.
7. Medical and dental care as indicated.
8. Medical conference and consultation.
9. Work assignments.
10. Social service referral of the outgoing patient to the extra-mural worker.

Forever the Good Parent. Perhaps as important as any particular treatment that might be "taken" or "given" is the patient's feeling that M. A. P. is intended for him and can help him; that in M. A. P. he is liked, appreciated and wanted; that because of M. A. P. he may go home but that if he should get sick again he will be helped again; that while he is on leave of absence from the hospital the M. A. P. out-patient worker will help him with his problems and help him to stay well and to earn his hospital discharge.

In short, it is important in M. A. P. that the patient should feel that we are on his side! The M. A. P. effort is to encourage feelings of permissiveness and self-determination in an environment where rules, regulations, and responsibilities are carried out with fairness and reason. For the alcoholic we have always to be the kind and firm good parent!

Follow-up by Extra-mural Workers. When the patient is ready to go home from the hospital M. A. P. goes with him! All patients on leave of absence from the hospital are referred to the psychiatric social workers of the Bureau of Social Work for out-patient follow-up service. Reports

on the patient's personal and social adjustment, and on the services and casework treatment that has been offered to and used by the patient, are made to the hospital at regular intervals. On the basis of these reports the hospital staff is able to communicate with the field worker regarding appropriate follow-up treatment for the patient or regarding the patient's need for readmission to the hospital or for discharge by the hospital.

A Shared Medical-Social Responsibility. The welfare of the out-patient is the concern of both the hospital and the field worker and the movement of a case toward a successful discharge is advanced when doctor and social worker share together with responsibility for the patient's progress. This is especially so in the alcoholic treatment program because these are patients who *are moving,* who *are going somewhere* and who *can be responsive* to personal and social help and to individual and group treatment.

M. A. P. in San Francisco. Feld workers of the Bureau of Social Work make follow-up reports on Mendocino State Hospital out-patients in the areas assigned to particular workers. It has been in San Francisco, however, that, beginning in May, a special effort has been made to offer more intensive social casework help to the M. A. P. out-patients. The extra-mural worker for Mendocino State Hospital patients in San Francisco has worked closely with the hospital's alcoholic treatment program and has become identified with M. A. P. both in San Francisco and at the hospital. This "specialization" has helped to bring community resources into the hospital program and to bring an understanding of the hospital's treatment problems back to the community. In San Francisco, therefore, the alcoholic patient increasingly makes use of the M. A. P. field worker and the entire program, which centers as it should in the patient, is benefited.

The Community in M. A. P.! The out-patient is served in various ways and casework help is offered and received, as at the hospital, according to the patient's need and ability to take and use such help. Effective use has been made by many patients of the State Bureau of Vocational Rehabilitation and of Alcoholics Anonymous. Referrals to other agencies are supplementary to continuous service by the M. A. P. extra-mural caseworker.

The recommendations of the committee pertaining to the Mendocino State Hospital are as follows:

1. Adequate housing.
2. Physicians' offices on wards.
3. More dental work (three need instead of two).
4. Separate service for alcoholics and treatment.
5. Acute treatment center at each hospital.
6. Psychiatric nurse training center.
7. More occupational therapists and therapy.
8. Library building.
9. Canteen and store for patients.
10. Steam tables for delivering food to the various wards and buildings.
11. Electric kiln for baking ceramics.

12. Pianos and various other kinds of musical instruments.
13. Sewing machines.
14. Recreational materials of all kinds.
15. Enlarge tailor shop.

SONOMA STATE HOSPITAL

The Assembly Interim Committee on Public Health met at the Sonoma State Hospital on August 2, 1950, and in addition to the committee members present there were also Senator F. Presley Abshire and Assemblyman Richard H. McCollister, representing Sonoma County.

The following members of the hospital staff also were present: Dr. M. E. Porter, Superintendent and Medical Director; Dr. Daniel Lieberman, Chief of Medical Service; Dr. Charles Ludwig, Clinical Director; Mrs. Arlene Messer, Superintendent of Nurses; and Mr. T. A. Bravos, Business Manager. Mr. A. Edward Nichols represented the Department of Mental Hygiene.

Chairman Thompson opened the meeting by explaining that the visit of the committee was prompted entirely by a sincere interest in the institution, its problems, and its needs. He then turned the meeting over to Assemblyman McCollister who represents the district, since he felt that Mr. McCollister was more familiar with the hospital than anyone else.

Mr. McCollister stated that it was his desire to have the committee make a thorough and complete tour of the hospital, inspecting both the old and the new additions. The new addition he explained will definitely alleviate a great deal of trouble. He also stated that from a general layman's standpoint the only real trouble at the hospital is the inadequacy of space for the population, there being more eligibles for an institution of this kind requiring public care than the facilities of the institution could accommodate.

Mr. McCollister stated that later on in the meeting the committee should inquire of Dr. Porter and his staff how they will stack up when the new units go into operation so that the Members of the Legislature have a yardstick by which to measure the institution's budget requests for capital outlay when they are made.

Dr. Porter presented to the committee copies of two letters received during the past week, one from Richmond and one from Santa Barbara, making application for the admission of children who very obviously belonged in the institution but were not there because of the lack of facilities for them. These letters are as follows:

EDWARD R. GUINAN, M.D., LARS A. PEDERSEN, M.D.
148 BROADWAY, RICHMOND, CALIFORNIA

July 25, 1950

DOCTOR PORTER
Sonoma State Hospital, Sonoma County
Sonoma, California

DEAR DOCTOR PORTER: I know you must be deluged with requests from parents and relatives asking you to admit their children to your hospital. May I add a request of my own?

I am writing at the request of Mr. W_____ B_____, who has written you on a number of occasions. Mr. B_____ has a young son

(records are in the hands of Social Service, T_____ B_____, who has his name on your waiting list. Mrs. B_____ has been caring for the boy at home and two attempts have been made to admit him to a private home but both were unsuccessful. The family is physically and financially able to care for the child at home. Mr. B_____'s plea to have the child taken out of the home as soon as possible is not a question of "dumping" the child but simply a desire to save his wife from further psychic trauma. Mrs. B_____ is highly nervous, a veritable museum of inhibitions and complexes, and at the same time is a devoted mother. She is rapidly becoming a nervous wreck, suffering from insomnia and marked depression. I feel quite certain that if her son could be taken a lot of this would clear up. I know your hospital is overcrowded and I would appreciate any special consideration to this case.

Thanking you in advance for anything you might do, I am

Sincerely,

L. A. PEDERSEN, M.D.

ERNEST D. WAGNER, Judge; D. H. GILMOUR, Official Reporter
CHAMBERS OF THE SUPERIOR COURT
SANTA BARBARA COUNTY, SANTA BARBARA, CALIFORNIA

July 26, 1950

DR. M. E. PORTER, *Director,*
Sonoma State Home, Eldridge, California

DEAR DR. PORTER: I hesitate to bother you with one of our local problems but it has been brought to my attention that the above named infant who is approximately three years of age and the son of Mr. and Mrs. F_____ T_____ C_____ who resides in this city is a definitely feebleminded child, in fact, a Mongolian idiot. Its presence in the family with a younger infant brother has created a most deplorable situation. The mother has recently attempted suicide and although unsuccessful she has repeatedly asserted that the only way out of their family difficulty is for her to kill the child and herself. The husband who has a very modest income has been compelled to remove the children from the home and is hiring someone to be with his wife during his working hours. It is easy to be seen that the case is a real emergency one, and I would appreciate your acceptance of this child as soon as it is humanly possible before some terrific disaster within the family occurs.

Trusting that you appreciate my position in this matter and thanking you for your cooperation, I am

Sincerely yours,

ERNEST D. WAGNER
Judge of the Superior Court

Dr. Porter explained that each member of his staff, including himself, would like to make a statement to the committee pertaining to their individual departments. This was approved by the committee, and Dr. Porter's statement was as follows:

"Sonoma State Home is a training school for the care and training of the mentally handicapped. The institution at the present time has a capacity of 2,500 patients into which 3,300 patients have been crowded so that our percentage of overcrowding has reached 36 percent. To care

for this patient population we have approximately 800 employees of whom 550 are hospital attendants concerned with the direct ward care of our patients.

"The condition of mental handicap from which our patients suffer is one that exists from birth or from an early age and results in failure to develop normally, which is manifested by intellectual impairment and as a result an inability in some instances to make a normal adjustment in the community. It is estimated that two percent of the general population are mentally handicapped but fortunately only 10 percent of this two percent ever require institutional care. While the adjustment of the mentally handicapped is usually adequately handled by the community under certain social conditions resulting from the break-up of the family or the failure of the parent's health it may become necessary to institutionalize such people from time to time. It then becomes the duty of Sonoma State Home to care for and train these individuals so that they can live happier and more normal lives and if at all possible can be returned to the community as useful citizens.

"The condition of mental handicap is frequently manifested at birth so we receive in this institution infants only a few days old as well as children of all ages from birth to death. There are patients in this institution who are 80 years of age. We frequently find that a family will care for a handicapped child for possibly 50 years, at which time both parents are so infirm or die so that there is no one to provide care for the patient. At this point the public agencies then make application for admission of the patients to this institution.

"Approximately half of our population have only a mild to moderate degree of mental handicap and are educatable and trainable so that they can be returned to their families or can become self-supporting in the community under the guidance of one of our social workers. The other half of our population have such severe mental handicap that they cannot live independent lives and require permanent custodial care in the institution. Funds have been provided by the Legislature for placing our patients in family care in the community at the rate of $60 a month. During the war years and the recent post-war years we have been unable to find any substantial quantity of such homes which would help to alleviate our overcrowding.

"Each day's mail brings three or four applications for admission to the institution and since we have no space available as a result of our overcrowding these applications must be placed on our active waiting list, which on the thirtieth of June comprised 395 male applicants and 372 female applicants for a total of 767. No one can appreciate the necessity for the institutionalization of some of these cases until they come face to face with the problem in their own family or in their immediate neighborhood.

"The present building program, which is the first unit of the post-war construction program, consists of eight buildings comprising 880 beds, which are all for replacement of ward buildings that have been condemned by the State Fire Marshal as fire-traps. These new structures, which will be opened this fall, will give us no additional facilities for the housing of patients but merely replace structures already in use. In our

1950-51 budget we have money for six additional ward buildings, comprising 600 beds, which buildings will be ready for occupancy approximately two years from now. Half of these structures must be used for the replacement of other condemned buildings now in use and the other half will give us additional capacity—that is, approximately 300 beds.

"In our 1951-1952 budget request we are asking for 10 ward buildings or a total of 1,000 additional beds, half of which would be for replacement of further condemned buildings now in use and the other half would be additional capacity.

"It is hoped that this request will help us to accommodate a great percentage of the more urgent cases on our waiting list but with the rapid growth of California and our inability to expand our facilities immediately it is not possible to state accurately that our current construction request will solve our problem of space.

"In future budget requests—that is, 1952-53 and in 1953-54, each of these will contain requests for 10 additional buildings, comprising 2,000 beds, in order to completely replace our fire-trap buildings and to give us adequate facilities to correct our overcrowding and to provide for the admission of the applicants on our waiting list."

Dr. Ludwig was then asked to make his statement, which he explained in general would relate to the overcrowdedness of the hospital and the problems thus created. Dr. Ludwig's statement was as follows:

"There are many factors concerned in this complex problem. Some are striking and obvious, others subtle and indirect. Some of the factors particularly apparent to this department are as follows:

"1. With the increase in the number and activity of referring agencies and individuals, more patients are being referred to the institution.

"Active steps to clarify the aims and limitations of institutional care should be disseminated widely among such referring groups. Many problems can be handled more successfully within the community, and there is need for expansion of community facilities. Helping the community to clarify its role in the problem of mentally retarded and handicapped people will materially reduce the need for institutional care.

"2. With the continued improvement in the medical care of our patients, the death rate among the infant and small child population has dropped remarkably. This means that there is an increasing number of such patients within the institution. This greatly limits the admission rate of those infants and young children for whom institutional care is a necessity.

"With the improvement in medical care, patients are able to develop more rapidly and progress to less severely taxed facilities.

"3. There is an inadequate number of well-trained personnel in the medical, social service, and psychology departments. This results in a lack of sufficient follow-up care and reflects itself directly in a low discharge and leave of absence rate.

"With adequate personnel, all patients can be regularly reviewed by a group including the ward physician, social worker, psychologist and ward personnel. The combined skills of such a group markedly increases the leave of absence and discharge rate. This has been well substantiated on those wards which we have been able to so review.

"4. Because of inadequate industrial and special training programs, the abilities of our patients are not completely developed. This again results in a decrease of discharges and leaves of absence, and a higher rate of return from vocational placement.

"With a concentrated expansion of such facilities, patients may be trained to the maximum level that they are able to obtain. This requires personnel, facilities, and time.

"5. Wholly inadequate recreational facilities and personnel give the patient no opportunity to acquire a social acceptance guide to recreational outlets when they leave the institution. This shows itself clearly in patients "going wild" upon leaving an institution where he soon violates social custom and civil law, and must be returned.

"An active recreational program for all levels of patients is as necessary, if not more so, than adequate recreation in the life of the private citizen. This requires personnel, facilities, and time.

"6. The study of the etiology of mental deficiencies is in its infancy. Because so little is known of cause, very little is applied in prevention and cure.

"Although the least tangible of all active attacks on the problem of institutional overcrowding, research is of the most basic importance. Facilities and finances for such basic work have traditionally been lacking. The importance of an active and continuous research program cannot be over-emphasized."

Mr. McCollister asked Dr. Ludwig the following question: "In the treatment of the mentally incompetent person who arrives here, is there any attempt made with all or any of them along the lines of the furniture factory at San Quentin, or is it possible?"

Dr. Ludwig replied: "It is entirely possible, but I do not think it is the answer. I think it is more important to teach a variety of basic mechanical skills—how to handle tools—things that can be spread out among many patients We have our patients doing all kinds of work, and actually our children make far better employees in some categories than a normal person, because their goals are in keeping with their skills. Often they turn their work out as a good job much faster than you and I could—not in terms of a vast commercial shop but as a variety of skills, whatever they may be."

Mr. McCollister asked Dr. Ludwig if a request came through to start a school, whether or not it would be plausible and possible with a mentally deficient—as much as it is with a convict.

Dr. Ludwig's reply was: "Yes, I think so—more so, because their problem is not against society, it is just learning, pure and simple. If we had the facilities to teach them they would get far more out of it, actually, because they would really use it." Dr. Ludwig continued: "It is far more important in any immediate sense to have a lot of little things than a lot of big things. It is far more important sometimes to have a hammer or a chisel with a certain set of patients than a $2,500 machine which turns out book cases by the hour."

Dr. Ludwig stated: "We have three recreational therapists, four occupational therapists with one more additional therapist coming for our 4,500 patients What we need is an active recreational program

going on all the time—nothing lavish in the sense of vast expenditures, just plain ordinary games."

Dr. Porter stated that he had 34 graduate nurses authorized in the budget and 495 hospital attendant positions. He estimates it will take 55 graduate nurses and 656 attendants to do the job that should be done. At the present time Sonoma has only 19 graduate nurses and 400 attendants on the pay roll. Some of these positions became available the first of July and they are in the process at the present time of recruiting.

Dr. Lieberman was next called on by Dr. Porter to make his statement, which was as follows:

"It is not necessary to be a medical doctor or an expert on public health to realize the inherent dangers when groups of people are living in very close contact. An understanding of the basic concept of transmission of contagious disease by ingestion and inhalation is all that need be known. From there the possibilities of spread of contagion are limited only by one's own imagination. History gives us many examples where huge populations of people were leveled by contagious diseases as if by an atomic bomb.

"Let us take as an example an average family of four living in an average home of five or six rooms and notice how remarkably such a simple infection as a common cold can spread throughout this family. Let us take then the condition such as exists now at Sonoma State Home where within the space ordinarily occupied by four people there are 40 people. Multiply the chances of infection ten-fold due to the habitus of our patients, namely their inability to wash, feed, dress themselves or care for their bodily needs. Multiply this product ten-fold by the fact that we are understaffed and in many cases have personnel who are not trained in aseptic medical technique. Multiply this ten-fold by the fact that many of our patients by nature of their organic diseases have very poor natural resistance to infection. Multiply this ten-fold by the fact that essential equipment such as dishwashers for the sterilization of dishes are not on hand. The product of these numbers gives one somewhat of an idea of what is facing the doctor who is concerned with the prevention and treatment of communicable diseases in this institution. Truly, much has been done with the aid of our modern drugs and by hard work to prevent the diseases from running rampant, but lack of all the things mentioned constitutes an impediment almost insurmountable.

"Specifically, the diseases which we have had to combat under these circumstances have been the dysenteries of both the bacillary and amoebic type, and all the contagious diseases common to children. In addition the very severe communicable diseases such as infantile paralysis, meningitis, and diphtheria always lurk as a constant source of worry under the conditions that exist.

"It is felt by the medical staff that alleviation of overcrowding, an adequate number of trained personnel and modern antiseptic equipment would go far in combating the real dangers that we are facing.

"We have all seen families in which tragedy has struck in the form of a newborn baby arriving deformed. The number of our infants who are mongolian idiots, severe spastics with mental deficiency, or other

form of developmental monstrosity, is indeed appalling. It would be very desirable to place these infants in an institution as soon as possible. The longer they remain at home the more attached the parents become to them, and quite often they will lose their entire perspective, neglecting all else in the care of this poor helpless child. We therefore should not only be willing to accept these children in our institutions but should urge their admission, for at the present time medical science is unable to cure these conditions. With this attitude, why is it impossible for us to accept these children? Certainly our files contain hundreds of applications for such as these.

"A brief glance at our present facilities for housing these children will give a quick answer. First, we have an infant nursery in which we place the children who are under one year of age. Up to a very short time ago none of these children were accepted. However, in the past few years a place has been formed for them in the hospital which has been able to accommodate approximately six such patients. Within the past year, due to the pressing demand, we have gradually stolen rooms from our hospital to accommodate these children, until at the present time we have 22. It is necessary to hospitalize these youngsters because they are not physically equipped to withstand the infectious diseases which are constantly with us in overcrowded buildings. The facilities we have now are for from ideal, and in fact would be considered very poor for a nursery, but we still consider it better than having these children at home and imposing a heavy burden on many other lives It is obvious then that a real need exists for an infant nursery. This, I understand, is due to come about within the next two or three years and will probably represent the largest nursery of its kind in the United States.

"For the children over one year of age and up to five or six there are two buildings, one for males and one for females. They are both 100 percent or more overcrowded, with children having to sleep two and three in a crib. In addition, the cribs are shoved so closely together that it is impossible to walk between them. Cribs not only fill the dormitory rooms but overflow into the dining hall and the play areas. Toilet facilities are inadequate. Sterilizing facilities are inadequate. The majority of the personnel is untrained in medical aseptic technique. The same conditions hold true for two other wards housing children between the ages of 6 and 12.

"It is no wonder then that dysentery here is an endemic disease. Nor is it a wonder that when one or two patients catch chickenpox or mumps that it spreads throughout the ward. True, we have been able to treat most of these illnesses with considerable success, and in fact have a cure rate for dysentery well above that reported in other parts of the Nation, but this disease cannot be eradicated without instituting proper public health and sanitary measures which are impossible to execute with this amount of overcrowding.

"Aside from the immediate medical indications for remedying this situation, it would be most desirable to institute a recreational and teaching program for these children which would give them the means to function at their maximum capacity. No matter how we may personally feel about children of this type, it is our duty as professional servants

of the State of California to care for these children of our citizens to the best of our ability and to give them all that is at our command in the way of medical care and treatment."

Mrs. Arlene Messer's statement was as follows:

"The public health in relation to the nursing service and its affects on overcrowding is complex. Mechanical and structural inadequacies combined with a shortage of personnel are the principal contributing factors.

"The use of patient help in the care of our patients results in a breakdown in the establishment of any technique for their adequate care. Attendant training program endeavors to teach attendant personnel nursing procedures and an awareness of public health measures. We have found that there is no such substitute for the quality of supervision given by adequately trained graduate nursing personnel. Graduate nurse supervision and on-the-job instruction are a necessity if classroom teaching is to become meaningful.

"A large proportion of our new admissions are children of from birth to five years of age. These children require much greater nursing care than older ambulatory patients in order that they may develop normally and to learn such simple procedures as to walk and to talk it is necessary that they receive a great deal of individual attention from competent employees. It is, of course, our objective to make each of these youngsters as happy and useful as possible and to this end they must develop as normally as their mental handicap will permit with the final objective of placing them in the community either as self-supporting individuals or in some form of family care.

"Attached is an outline showing the basic minimal personnel to accomplish this goal."

Hours of nursing care per patient per day to give adequate care to our patients at Sonoma State Home.

1. Infants and crib patients	4 hours per day
2 Adult bed patients	2 hours per day
3. Wheelchair and infirm	1 hour per day
4. Low-grade, untidy, destructive	1½ hours per day
5. Working patients	½ hour per day
6 School children—young	1 hour per day
7. School children—older	½ hour per day
8. Tuberculosis patients	2 hours per day
9. Medical and surgical patients	3.2 hours per day

To adequately care for the present population we need		*The present population consists of*	
Graduate nurses	55	Graduate nurses	34
Hospital attendants	656	Hospital attendants	495

It has been agreed that 21 new buildings each housing 100 patients will be needed to care for the future increase in population.

An average of two hours of nursing care per patient per day may be assumed. A large proportion of new admissions will be under 12 years of age therefore the average hours of care is higher.

2,100 patients × 2 hours of nursing care needed per day = 4,200 hours of nursing care needed per day × 7 = 29,400 hours of nursing care needed per week.
40 ÷ 29,400 = 735 employees to give 2 hours of nursing care per patient per day hour week to 2,100 patients.

For adequate supervision and instruction a ratio of one graduate nurse to 10 attendants should be obtained.

MALE WARDS

Units	*Rated capacity*	*Present population*	*Over-population*
UNIT I. Nursery—Children mostly under 12 years of age; all physical types including epileptics; intelligence too low to profit from academic schooling.			
Male infirmary	82	166	84
UNIT II.			
a. Pre-school type. Mostly six years of age and above. Children who will ultimately profit from academic schooling.			
Bane annex	61	63	2
b. School type—those children who are attending school and/or taking vocational training			
Bane cottage	94	95	1
UNIT III. Vocational type not attending school.			
Bentley hall	99	137	38
Bentley annex	66	93	27
Poultry colony	18	20	2
Dairy colony	32	35	3
UNIT IV. The weak and helpless bedridden types, wheelchair cases requiring complete care in dressing, feeding and toilet. Also of low intelligence.			
Male infirmary annex	49	64	15
King cottage	85	114	29
UNIT V. Patients not expected to profit from academic schooling or vocational training but who might profit from habit training.			
Wagner	90	124	34
North	74	123	49
Wright	83	111	28
Thompson	140	186	46
Dunbar	84	159	75
UNIT VI. Epileptics			
Manzanita	66	71	5
UNIT VII. Medical and Surgical—All patients on this unit are carried on some ward population report.			
UNIT VIII. Tuberculosis			
Boys T. B.	30	36	6
UNIT IX. Behavior disorders—Special security buildings. Defective and psychopathic delinquents.			
Goddard	73	60	0
Paxton	84	73	0
Total over-population	1,356	1,741	444

FEMALE WARDS

Units	*Rated capacity*	*Present population*	*Over-population*
UNIT I. Nursery—Children mostly under 12 years of age; all physical types including epileptics; intelligence too low to profit from academic schooling.			
Haven	58	134	76
UNIT II.			
a. Pre-school type. Mostly six years of age and above. Children who will ultimately profit from academic schooling.			
Hill	78	135	57
b School type—those children who are attending school and/or taking vocational training.			
Osborne	78	106	28
UNIT III. Vocational type not attending school			
Lux	13	9	0
Oak Lodge	56	61	5
Hatch	53	76	23

FEMALE WARDS—Continued

Units	*Rated capacity*	*Present population*	*Over-population*
UNIT IV. The weak and helpless bedridden types, wheelchair cases requiring complete care in dressing, feeding and toilet. Also of low intelligence.			
Stoneman annex	53	94	41
Walnut	69	99	30
UNIT V. Patients not expected to profit from academic schooling or vocational training but who might profit from habit training.			
Judah hall	176	259	83
Laurel	68	93	25
Maple	81	134	53
UNIT VI. Epileptics			
Poppe	56	83	27
Slater	80	110	30
UNIT VII. Medical and Surgical—All patients on this unit are carried on some ward population report.			
UNIT VIII. Tuberculosis			
Girls T. B.	17	20	3
Hospital annex	37	33	0
UNIT IX. Behavior disorders—Special security buildings. Defective and psychopathic delinquents.			
McDougall	60	61	1
Total over-population	1,089	1,507	482

Following is the statement by Mr. T. A. Bravos, Business Manager:

"A sound program in the field of modern business administration and institutional planning must be carefully correlated with modern medical and psychiatric therapy requirements. This requires continuous re-evaluation and review of all existing physical facilities and the countless ancillary service departments.

"At Sonoma, we have an institution of approximately 3,300 beds that was planned to accommodate 2,500 people. As a result, many of our facilities that are vital to the proper over-all program have fallen behind our present population with resultant difficulties to the medical staff. Some of this, unfortunately, would have been impossible to avoid. On the other hand, there have been many instances where we have condoned things that would have brought severe censure to a private or nonvoluntary institution.

"I have taken the trouble to innumerate some of these areas. These requirements are taken from the California Administrative Code, Title 17, Public Health, and are published by the Bureau of Hospitals, State Department of Public Health as a guidance to large general hospitals; however, the regulations are highly applicable to our institution.

"1. Gross overcrowding of beds in general ward and hospital facilities.

"2. Inadequate over-all maintenance and upkeep of all buildings.

"3. Sanitation (water supply)—Satisfactory.

"4. Sewage disposal—Meeting minimum requirements.

"5 Garbage disposal—This has been a rather sadly neglected area and as a result, has caused difficulty with insects, flies and resultant dysentery.

"6. Incineration—None existent but in planning construction stage

"7. Food sanitation—Grossly inadequate—no refrigeration.

"8. Dishwashing—Generally unsatisfactory. No physical facilities.

"In some of our wards, general hospital and tubercular hospital we have never had a dishwashing machine One will be installed in our general hospital sometime during this next month and the new tubercular hospital will provide a very modern setup for food preparation and service. The million dollar, central kitchen unit which has been budgeted for this year is, at present, in the active planning stage and has been given top priority in the projects to be completed.

"The areas that have just been noted vary considerably in their degree of effectiveness. Active planning has been instituted to accommodate and improve each of them; however, it will take us time to bring each item to a necessary level. It will enable the institution to meet minimal standards in the physical facilities that have been noted.

"Countless other areas in the general hospital have been neglected, such as central supply, laboratory, pharmacy; however, these areas will be considered in our hospital addition.

"9. Hospital equipment—We are, at present, thoroughly evaluating all of our equipment standards and are working on more sterilizers, stainless steel equipment, etc., that will have longer lasting and more highly effective operating qualities.

"10. Building program—The building program instituted since the end of the war has provided us with several vitally needed ancillary units:

(a) We have a new $500,000 laundry which has been a tremendous boost in the quality and quantity of laundry we are able to provide for our patients.

(b) In addition we are just completing a boiler room which will provide us with more hot water, steam and heat—all vitally necessary to a growing institution.

(c) The seven ward buildings and the 200-bed tubercular hospital will be generally replacement units and enable us to vacate the oldest fire traps and worn out structures on the grounds.

"The attached plan is a brief resume of our capital outlay construction projects for the next five years. Completion of these projects, coupled with an intensive program in minor construction and deferred maintenance, will enable the Sonoma State Home to provide our medical staff with the kind of facilities they must have to carry out a modern medical and psychiatric program.

" 'Attached herewith is a compilation of the capital outlay construction projects envisioned by this institution as of present date, for a five-year period. This resume has taken into account monies appropriated for construction for the 1950-51 Fiscal Year.

'Population figures reflect conclusions that have been agreed upon in past conferences with your office. General thinking has been predicated on the fact that the institution's maximum population should not exceed 5,000. This exact figure is predicated upon an estimated capacity of 4,500 with an allowance of 10 percent for overcrowding. At the present time, including the moves that will be made in the next few months, the institution will still have thirteen (13) buildings which have either been

condemned or will be condemned as a fire hazard or a costly maintenance project. In addition to this, the institution will require sixteen (16) new buildings for additional population. These sixteen (16) buildings, coupled with thirteen (13) replacements will provide the institution with adequate bed space for ultimate assumed population. Present overcrowding is approximately thirty-six (36) percent; in short, we have an institution with a capacity of 2,475 and an actual population of 3,350, which approximates an overcrowding of 36 percent.

'The projects listed below are given in order of their respective priority. Those projects with an asterisk before the number are the ones which will be requested in our 1951-52 Budget.

Major Construction—1951-1956

*1.	Ten (10) ward buildings	$2,900,000
*2.	Crematorium	70,000
*3.	Garage and transportation center	25,000
*4.	Athletic field, including swimming pool, service unit, baseball diamond, bleachers, lights	90,000
*5.	General warehouse building	110,000
*6.	Superintendent's cottage	35,000
*7.	Two physicians' cottages	42,000
*8	Employees' apartment house	180,000
9.	Ten (10) ward buildings	2,900,000
10.	Patients' and employees' store	50,000
11.	Industrial training shop	125,000
12.	New engineering offices and machine shops	100,000
13.	Nine (9) ward buildings	2,610,000
14.	Two physicians' cottages	42,000
15	Security unit for girls—special training	90,000
16.	School addition	90,000
17.	Recreational therapy area—Reynolds Ranch	40,000
18.	Children's unit—pilot study	250,000
19.	Receiving hospital (addition to general hospital)	250,000
20.	Employees' apartment house	180,000
21.	Two physicians' cottages	42,000

Items 1, 8, and 13: The twenty-nine (29) ward buildings that have been requested are, as we have pointed out, partially replacement (13) and partially new (16). They are to relieve our present overcrowding of thirty-six (36) percent and reduce to approximately ten (10) percent and adjust a waiting list that now stands at roughly 600

The list below indicates what buildings would be replaced.

	Building	Bed Capacity		Building	Bed Capacity
1	Poultry and dairy colony	100	8	Male infirmary annex	100
*2	Judah annex	100	9	Haven	100
*3	Judah hall	100	10	Oak Lodge	100
4.	Bentley hall	100	11	Walnut	100
5	Bentley annex	100	12	Slater	100
6.	Laurel	100	13	Surplus—No 2 and No 3 above	100
7	Bane annex	100			

* These two buildings now house over 300 patients and will require three replacement buildings when they are eventually moved

These buildings will be replaced by thirteen new structures in the approximate order indicated; however, because of certain changes which are constantly going on respecting classification, and various problems concerning maintenance, it is probable this list might have to be adjusted

As we pointed out earlier, the sixteen (16) new additional buildings would be new bed space, 100 beds each or a total of 1600 new beds

Commencing with the 1951-52 Budget, we should like to have **five buildings replaced** and **five buildings new** of the 10 we have asked for and follow this procedure until we have completed the replacement of old and new additional structures

"Detailed justification for the remaining projects has been submitted to our department.

"In summation, it was felt that the committee would be interested in some general figures governing the operation of this institution for the next fiscal year. Our over-all operating costs will be, exclusive of capital outlay, in excess of $3,000,000, which approximates $2.65 per patient, per day. Our food costs will average around 60 cents per patient, per day.

Drug Costs: Maximum of $10 per year, per patient. Although these figures have been on the increase for the past few years, they still represent a low operational cost when one compares them with other hospitals and other types of care. Increasing our operating costs so that we could return more patients to the community may appear expensive intitially but, in the long run, it represents a terrific saving to the taxpayer and the State because, rather than simply holding people here on a custodial basis, we would be processing them through a therapy program that would enable the majority of them to become self-supporting."

McCollister: How much are you able to recover from family contribution or county participation?

Bravos: We charge the counties $20 per patient. This has been a subject of controversy in legislative and administrative circles for a long time.

McCollister: That is the County of origin?

Bravos: Yes.

Nichols: The law says you can spend up to $40 but we have maintained $20 rate consistently. We do not want to place too great a burden on the counties. The question is whether we should seek to recover the actual costs, abolish it entirely, or should we leave it as it is.

McCollister: You will be lucky to get it left as it is. That does play into your $2.65 figure, does it?

Nichols: No.

McCollister: Over and above the figures you gave us, there is still $2.65 a year per patient?

Nichols: That $2.65 is your actual cost, and this $20 a month goes into the state treasury and is not included in your figures, right. We do not take that as a credit against our appropriation. It goes directly to the State Controller and runs to about one million dollars a year for Pacific Colony and Sonoma.

McCollister: And the family is also directed to make a private contribution?

Nichols: The family pays the county where they have the ability. That is a matter for the County Social Welfare Department to determine.

Bravos: We have a relatively extensive farming program. That is credited to our costs. It goes into our food budget as a credit. That $20 goes straight to the General Fund.

Thompson: That wouldn't enter into your cost per day then?

Bravos: It is not that substantial, to be truthful. This figure doesn't purport to be a perfect cost figure but it does give the committee a rough general idea.

McCollister: If you didn't have this farm arrangement, your percentage would be higher?

Bravos: Right. It doesn't amount to too much in terms of the all over picture.

Porter: Just one final remark. The opinions expressed this morning are those of myself and the staff, and the department is represented by Mr. Nichols. There has been no discussion with Dr. Tallman on this meeting. He has a viewpoint which sees all 12 institutions in his department and if he disagrees, it is based on factors we are not aware of. We have

expressed purely our own opinion. If there are grave differences of opinion, Dr. Tallman will give you better information.

McCollister: This might be embarrassing as many of our citizens serve as trustees, but in simple conversation, are your trustees, assuming they gather once a month—are they essential and of help to you?

Porter: I think the theory is excellent. We have one of the leading citizens of Healdsburg as a trustee, one in Santa Rosa, one in Petaluma, and one in Sonoma. The fact that those people meet here regularly and know what is going on, and then go out into the community and spread the gospel, and put the pressure on you gentlemen, etc., is in theory excellent. There are 12 boards. We happen to have a most excellent, helpful board. I do not think any of them are too potent politicians. They are good average citizens and they play the game squarely. They will do everything to help. They are allowed expenses but no remuneration. They give their services freely and my experience in the last four years is that they are definitely of value, particularly the two members in the little town of Sonoma. How much value they are, for instance, in Petaluma, Santa Rosa or Healdsburg, I have no way of measuring. You probably run into that in your activities more than I would. The theory is excellent and we have an excellent board, and we attempt to keep them informed so that they know what is going on. How far they can take it, we do not know—as to how effective they are is not always apparent.

Abshire: Do you consider them as ambassadors of good will?

Porter: My feelings is they are solid citizens in the smaller communities. They would rally around if you were to take the bread out of our hands. They would have contacts and assist us in getting our program over—not by petty politics. We feel that they are a group to help us with our program by getting community interest and support.

Nichols: It has been a question in the minds of a good many—even in the Legislature—and there was a bill to abolish it. It is a carry-over from an old law in which, at one time, they were given considerable power. This was replaced by centralized authority and they are merely advisory now. It has been my experience that they are not only good pressure agents, but they are public relations representatives in the communities, and render us a good service. They are of no expense to the State excepting the meals they might get when they come here. There is no pay and very few put in any claims for travel. They do give us these two services which I can point to:

1. They can recommend, from their observations of the hospitals from the outsider's standpoint, improvements and suggestions which are too close to our picture. We get that angle from the average citizen on those boards.

2. I know of one specific case where they were of real value. At Agnews we had a complaint about a patient being mistreated who subsequently died. Her daughter made quite an issue of it, and Mrs. Heffner arranged with the trustees to have a hearing, as an impartial board, so as not to give the situation an air of a whitewash. They met and heard testimony from and concerning the employees, and it is those aspects of their service which are of real value to us. They all have to be appointed by the Governor.

Nichols: We also have a sterilization law in this State. It is more active here at Sonoma than anywhere else except Pacific Colony. It is voluntary. The Director of Mental Hygiene secures the consent of relatives on an adult patient. If a minor, the hospital superintendent recommends that sterilization would be wise, and then it is approved by the Director of Mental Hygiene. A patient is never sterilized if there is a protest of any kind from anyone.

Thompson: You suggest the law needs changing?

Porter: We have four or five families where we have a mother and children in institution, or others from the same families, and we will let you see some of our families to show you why we recommend and practice sterilization.

Nichols: Yes, we have three generations of one family being cared for by the State by reason of not being sterilized.

Porter: That is right. They come in gradually over a period of years, and sometimes they go out, but as a result of not being sterilized, these families continue to grow. We think sterilization is of the utmost value.

Nichols: You perhaps recall the Dolwig Bill introduced in the 1949 session. It would have stopped the sterilization program in the State because it would have demanded a court order in each case. We think there is some justification to the demand made by Mr. Dolwig to change the law, particularly so as to improve the procedural aspects, but we certainly do not feel that the policy of the State for over 50 years should be completely abandoned. We think the law is alright as it is, with possibly a change in procedure, and we are at the present reviewing the law in other states in an effort to frame the best possible law which we will then submit to the Legislature, leaving the authority in the supervision of the institutions in those cases where there is consent, and where there is protest, leaving it to the courts to decide.

McCollister: Your suggestion then to the committee is to hold the present law, with procedural changes?

Nichols: Would this committee be interested in having this submitted to it as an interim committee, since it is in the field of public health?

Thompson: It is something we could take notice of.

Following is the sterilization record at the Sonoma State Hospital:

	Males	*Females*
Total as of June 30, 1950:	2,490	3,040
Sterilized during July, 1950:	3	12
	2,493	3,052

Sterilizations over last five years—fiscal years

	Males	*Females*	*Total*
1945-46	101	79	180
1946-47	110	93	203
1947-48	82	82	164
1948-49	103	90	193
1949-50	62	76	138
			878

(Number from January to June 30, 1950, 35 males and 29 females)

The committee then started its tour of the wards and went first to an infant nursery in the main hospital where there were 22 babies under one year of age.

Lieberman: This is in contrast to what you will see in the other wards. We have the feeling that these children will grow up to be a bit less dumb when they grow up than those in the wards.

The first room held the mongoloid type babies and Dr. Lieberman said he thought the time would come when they were going to be able to help those babies. They estimate that three out of every 1,000 babies are born mongoloids, probably caused by a disturbance of the endocrine gland—perhaps pituitary shots will help—no one knows; but Sonoma is going to give the 22 babies in the hospital ward the very best care medically and every way as the basis of a research which will determine whether such care can raise the mental level of mongoloids and make them happier and more useful individuals.

The committee saw spastic children—a nerve condition occasioned they think, before, or at birth. Some spastics are mentally sound and some are not. These children will also be given that extra special care to determine if their condition can be substantially improved.

Also receiving research were the "gargoyle" type of babies (symptoms—large head, short extremities, become blind sometimes, enlarged liver and spleen and curved spine—in general, symptoms of old age). Gargoyles usually live from 9 to 18 years. It is some sort of a metabolic disease.

Spastics usually die around seven years of age. The State has 400 in institutions.

Someone mentioned syphilis and Dr. Lieberman said "syphilis is the biggest false alarm there is."

The committee saw hydro-cephalics and micro-cephalics—overly large and overly small heads, respectively. These babies can live to an adult life, and mongoloid babies have been known to live as old as 60 years. The average age expectancy is 8 to 10 years but the next few years with modern methods and drugs, etc , for the care of these children, will increase their age expectancy.

(Mongoloid children can be recognized by their slanting eyes, they are usually quite double jointed, and there is an unusually large space between the large and second toe). The committee saw one mongoloid who had two thumbs. Dr. Lieberman said very often these babies are recognized as mongoloids at birth and before the mother ever sees them, they are brought to Sonoma. The committee also saw a little girl who had been born without arms and legs and they have not yet determined whether she is mentally defective. Mongoloid babies are ordinarily attractive looking babies and very friendly.

The committee then went into the wards where similar babies were being cared for under the old deplorable conditions—two or three babies in cribs and the cribs so crowded into the room that in some cases it was impossible to walk between them. Dr. Lieberman pointed out the impossibility of preventing the spread of contagious diseases, dysentery, etc., under such conditions. He did say, however, that the conditions were not nearly as bad as they used to be and dysentery was being controlled to a great extent.

With respect to the danger of fire, the committee was told that that particular building could not be classed as a fire trap exactly but that it

would be a matter of carrying out all the patients—and bad as it seemed, it was vastly improved over two years ago.

Some of these babies have epilepsy.

En route from one building to another the committee was told that the campus consisted of 2,000 acres—a great deal of it rather mountainous, and not too much table land.

The committee then visited North Cottage—a dormitory for a varying degree of low type mental patient of younger group. The next building visited was thrown up some years ago as a temporary structure and is a definite fire trap. It is to be torn down as soon as new facilities are ready. This houses 126 young adults of school age who do not possess enough intelligence to go to school. They spend their time sitting on the front steps or in the back yard. There are no facilities for any kind of program for these patients. Dr. Porter said: "If we had a good program all the way along for these boys, some of them would not be as dumb as they now appear. They would have an emotional development with a better adjustment potential. They might be so much better that some mild degree of schooling might be indicated."

The Fire Marshal has condemned 14 of the buildings, eight of which will be replaced by the new dormitories now under construction. The new building to replace the one mentioned above is built to house only 100 patients and there are well over 100 in the present building. They plan on 10 percent overcrowding to start out with.

The present structure for the young adults is so unsafe that if the patients couldn't help themselves in case of fire, it would be difficult to get them out. Dr. Porter said even if they put their very best patients in there it would be unsafe for them.

Elaborating more on the type of patient in that dormitory, Dr. Porter said the patients were of such low mentality they could not keep themselves clean. They soil themselves at night and in the daytime. All are untidy. There is a rubber sheet on every bed. They run them to the bathroom at regular intervals. The population of this ward is bright enough to do bed making, sweep, etc., but nothing else.

The committee then went to Bane Annex where the boys in the younger school age bracket are housed. They are a pretty good potential and live in cheerful surroundings. They have a man attendant who arranges ball games and various kinds of recreation. All new male employees are rotated through this ward.

There are two full-time dentists and a third allowed but not recruited, two dental hygienists, one full-time X-ray technician and another allowed. There is a full laboratory set-up. There is also a full-timed druggist.

The committee returned to the administration building where Dr. Porter had assembled the various "families" mentioned earlier.

There was the Gomez family of three children—16, 12 and 17—two girls and one boy; the Alphonse family with three children. The mother came to the institution in 1925 and has gone home on vacation several times. She is now hoping to go out on parole She was married only once, and her husband is now dead. The girls have been here 10 and 11 years, and have been taught to cook and sew. One has been out on parole. She was out for three years and three months, and returned for dentistry.

The other girl has been here for 10 years and has never been out. The mother and daughter who has been out are sterilized.

Next there were Jessie Kilpatrick and Naomi Mathewson—aunt and niece respectively who had identical characteristics—a pale square face and head and a most unusual growth of hair, pale eyes and absolutely expressionless faces. The doctor said they intended reporting this rare clinical entity

Then there was Julia and Joseph Rodrigues, mother and son. There are also three other children there, two of the girls being on vacation. The mother came to Sonoma on May 23, 1944 and was out for three months at one time. The son who is 16 years old has been there four years, and he attends school.

Next were Helen, Nina, and Henry Enriques. There are two other children of the family living on the outside. The mother used to be at Sonoma; in fact, the mother and a baby were there recently. The mother is now sterilized, and the baby seemed normal but is probably defective.

Porter: We have at the present time 30 or 40 such groupings, and this is one of the bases upon which we ask that the sterilization law be kept in effect. We sometimes receive two or more cases from families where the parents are normal. The cause is unknown but we believe the inheritance comes from generations past.

The committee then visited the locked units, Paxton and Goddard, for psychopathics and defective delinquents. Paxton is for boys 19 and above and Goddard is for the younger boys.

Goddard was visited first.

Porter: This is for boys up to 18 years of age (12 to 18), adolescents. They are either committed through the courts as delinquent children, or various other categories. Some are mentally defective and some are not. The majority are. These are our border line cases—our high grade patients—some of normal intelligence, placed here for the correction of behavior problems. Very few cases were admitted as psychopathic delinquents, five, six or seven perhaps. The rest are children who cannot get along adequately without security. In fact, our doctors feel that the security here is too severe for 80 percent of our patients. It is maintained at this high level for the other 20 percent.

Nichols: Do you get cases here from the Youth Authority for observation?

Porter: Oh yes, but we rarely get more than two per week We never have at one time more than three new children unknown to us here. All of the observation children are here because we have trained personnel in these wards. They have the feeling for this kind of work Hunches can sometimes be more correct than anything else. The juvenile courts also send them here. We have all categories of observation cases, normal children, epileptics on occasion, and every type of observation case for children we have here.

Spaulding: Do you have any particularly outstanding case here?

Porter: Only one. One psychopathic delinquent diagnosed by my conference of a 14 year old boy whose acts were sufficiently violent to indicate that if he were in the outside world he would react in an unsavory way. He is not old enough to go to Mendocino and sit there with the criminals. He came here through the juvenile court. He had attempted

to kill, and for all practical purposes, killed a small child by slitting open her abdomen. The child did not die and the patient was sent here.

I would like to point out what our program at this time is here. We realize that, as I told you, we are having to restrict activities for 80 percent of our cases in order to maintain the security of the entire unit. In the past there has been no way of knowing—or having the staff regularly studying each of these children all the time. Therefore, we had nothing scientific to say whether a child was good or bad except the past record. If you have ever had anything to do with commitment forms, you will know it takes a sense of balance to know what is true and what is put in to influence us to put them here. We are in a position now with the increased staff, having observed them over a period of time, to know which children we can let out between that door and the fence. We give them as much freedom as they can take without blowing. If they are not held back too long, their chances of recovery are better. Even normal people—those in the Army for instance, will require readjustment. We want to teach them some of the finer arts of living so they can appreciate more of the means of entertainment, besides stealing someone's car or socking someone. They didn't have a playground so the children built one. They didn't want anyone to violate their program so they lose their entertainment. We have not given extreme punishments We might take the good group of boys up in the orchard or some other privilege. Eventually we will have a ball team. When we feel they are ready, they will finally go down to an open ward. In the past, children were here from two to five years and went out. Our parole violation rate was incredibly high. So, we are not so much interested in having everything neat and tidy as we are in having something constructive for them to do. They have games between the two wards and on several occasions outside teams have been brought in to play with them. The boys then begin to have the feeling that maybe there is something "out there" for them. In such an environment their bad character begins to stick out like a sore thumb, whereas before you couldn't tell. Now we are building up standards for comparison so that after a two year period we know whether a child has profited or not. We are trying to work out with the Youth Authority and other agencies a much freer exchange.

Much later on it may be possible to work much more individually with the children. We are aware that having a fork and knife to eat with is better than a seven-course meal. My own opinion is that clear cut control environmental therapy is the only obvious solution to this problem, but we only have personnel to sit down with 10 percent of the population. This is the only program we can see any hope for. Further, this unit will outgrow its usefulness pretty soon.

Ludwig: We have other personnel besides the psychiatrists working on these units. Dr. Lieberman works with me and Dr. Frederickson works with the female group. The most important group are the ward attendants They are the go-betweens for the children. We process this ward by means of a team which we mean to extend to all other wards in the institution; a psychiatrist, a social worker, a member of the ward and a medical doctor. Our discharge rate has gone up three or four fold. We want to know he is ready. We have had this in effect since the first of the year, but the beginnings started some time ago.

The committee saw the rooms where the boys do various kinds of craft, but where a great deal more equipment is needed.

Speaking of the cell blocks, one of the doctors said "So far as I am personally concerned, when we have to use those cells because of our own inadequacies of handling the children, we defeat our purpose. When you see a whole block of cells before you with children in them you can be very sure something is wrong with the program. We have had no escapes or any serious difficulty since our recreational activities began. We have about 30 children out for the summer. If they make it for those three months, we will let them try it some more, but if the home situation is bad, they are better off here.

Thompson: Does the county education group help with your educational program?

Porter: No, the educational facilities are strictly Mental Hygiene. The county presents us with certificates, etc. Our teachers are employed by our department and have nothing to do with the county board of education. I know in Mendocino it is part of the county school program, but our teachers are all hired by our department.

In answer to a question by Senator Abshire, Dr. Porter stated that the boys who were now out on probation were called on regularly by a social worker under the Department of Mental Hygiene, and if the probation office was helping, it was on a voluntary basis. Dr. Porter mentioned a boy from Santa Rosa who had committed a minor sex offense. He was not particularly dangerous but because of the feeling engendered, they did not want to send him back to the community from which he had come. So the family moved to another location and they felt it was then safe to send the boy home—followed up regularly of course by the social worker. Dr. Porter said the average stay of the boys in this particular category was about three years. He stated what they were endeavoring to do was to break down the population of this ward to 50.

The dining room at Goddard was very cheerful, having recently had a furniture replacement.

Mention was made of the fact that the few television sets they had were making a tremendous difference in the morale of the boys. They have five or six sets and 33 wards, and their next budget will ask for 10 more sets.

The committee was now in Paxton in a ward of 74 patients all 18 and over. The doctors said they had a real fine personnel man running that unit who has a feeling for the patients. The cells in this unit are used mostly for overflow beds and have been empty longer than ever before because of the interest of the attendants in the patients. This ward has as good discipline or better than any other ward in the institution. There is only one patient in the cell block now.

The doctors said their patients go insane from time to time but when they do they send them to Napa or Mendocino. Temporarily they have to place them in cells.

The boys in this ward play basketball and baseball but are not as active as the younger boys. It is a very mixed ward, with many patients there who do not belong there at all, but they have no intermediate place to put them.

The committee then went through the shoe shop which Dr. Ludwig thought was on its way out. "How many people with an I. Q. of 65 would like to work in a shoe manufacturing company?" he queried. This is a highly specialized kind of thing and this is no place for specialties, he continued, and eventually they hoped to make a change there. This is an example of what they meant by "unwise industrial training."

Mr. Bravos said they knew definitely that the manufacturing of shoes was not wise in an institution like theirs, both from the standpoint of cost and the kind of shoes they get. However, they will probably always have to have a place for the repair of shoes. It costs $4 a pair to make the shoes, and they could buy good shoes for $4.50 to $5.

The committee then went to McDougall Cottage for generally delinquent girls from 14 to 25 years of age. Here the girls did beautiful handwork of various kinds—sewing, crocheting and hooking of rugs, copper work, jewelry, etc. Here they have a television set, a piano and a nice recreation yard. They have only one recreational director for the entire institution, Mr. Massa. Someone stated they did not have as much fire drill as they should. Here there is no accordian wire on the fence, and as a matter of fact, the tremendous security with the men represents not the patients but what the community fears. The patients do not have the hopeless feeling they had before, with increased recreation.

The committee then went to Stoneman Wing, a part of the main building. Here were housed chronic bed patients, severe organic cases, in general the physically incapacitated. Here the patients are cared for by other patients. It was this group of patients who were menaced by the fire in the administration building of a few weeks previous. It is a very distressing ward from every standpoint.

Back in Dr. Porter's office Mr. Nichols wanted to know what could be done about the long waiting lists, outside of new construction, new beds, increased personnel, etc.

Dr. Porter: Last year in the budget, and again this year, the Depart- of Mental Hygiene requested a sum of money to have a pilot project in Los Angeles County probably. This would be to secure personnel and some suitable space in which to teach parents of children on our waiting list to better care for their children at home, a training program for parents who can't get their youngsters institutionalized. One result will be better care for the children and perhaps they will not have to be institutionalized. That is one item. Another thing, a pilot study for Pacific Colony, by having a psychiatrist, social worker, psychologist, and extra attendants, they can screen the patients intensively, treat them intensively, give them more personal attention, and keep figures to see what that does with the discharge rate—how many more go out than in the past without it. Dr. Ludwig has pointed it out beautifully. In the past we did not have personnel to see the patients individually. At the present time we can see certain of them regularly, treat them intensively and have more activities. This has already reduced our population as mentioned. The pilot study at Pacific Colony will prove in figures the value of such a program and will be presented in time for this or the next budget. We will attempt to prove that qualified personnel will get results. That makes room for others to come in and take their place. It will do those two things.

We have about 33 wards but have had time to show you only six, which, however, have hit the high spots of our overcrowding. The overcrowding on the female side is considerably worse than on the male side.

Mr. Thompson: How do you feel about these private institutions for the care of patients for whom you have no room here?

Mr. Porter: Our theory is that a good private sanatorium is an excellent answer if you can afford it. In the Mary Burke case it didn't work out well. The other private institutions around the Bay are strictly limited. Not too much help in taking care of the waiting list. It would appear that private care is too expensive for the average American. It is only the rather well-to-do who can afford it. The average man who spends $200 to $500 a month for this kind of care cannot raise his normal children properly. Therefore, it does appear that the State is going to have to subsidize the State or county to supplement the small fee paid by the parents. Certainly up to this point the California private institutions have not been too helpful and have left the burden strictly up to the state facilities. The counties do not want to touch it at all.

The thing we touched on early this morning—the funds given us for family care—is a great thing. Dr. Tallman has provided us with social workers to intensify it. Placing a child in a good foster home is better by far than institutionalizing him. So far we have not gone very far on this program but we are starting now and will do better. It is difficult to find normal children homes, but with the state program to pay for the care of defective children we hope to be successful in that program. Over in the Sacramento area they have a lot of mental patients in homes there and it is working fine, relieving to some extent the overcrowding of state hospitals. It would seem to me a small valley such as Sonoma Valley, if the orchard business is not too good, should be able to interest a considerable number of people to take children to their homes for $60 a month. This would be a delightful climate in which to set up such a center. In other states they have found little areas where people take care of the state's charges in their homes.

Mr. Nichols: That is called family care, in that children are not turned back to home families because they do not have any, but if we can place them in a private family and pay them for it, it is cheaper for the State to do that than to build additional hospitals.

Mr. Thompson: Will the State adequately supervise this program?

Mr. Nichols: They are investigated frequently.

Mr. Thompson: That was true of the Mary Burke Foundation, wasn't it?

Mr. Nichols: No, that was a private institution, inspected once or twice a year. These family care homes are small homes which have two, three or four patients and they are under the supervision of our social workers. We have a staff of about 60 social workers, increased now by 30 more, covering the whole State to do this kind of supervision.

Mr. Thompson: With 90 social workers, plus $60 a month, isn't that quite an expense to the State?

Mr. Nichols: Well, it has been carefully reviewed and the more we look at it, the more we like it. It is a saving to the taxpayer in not having to build additional hospitals. About 7,000 patients are out on leave now—some of them in this program. If we didn't have the 90 supervisors, we

would have to have two more hospitals, and it costs $10,000,000 to build a hospital.

The recommendations of the committee pertaining to the Sonoma State Hospital are as follows:

Sonoma State Home is a training school for the care and training of the mentally handicapped. It is the duty of the home to provide modern care and training for those mentally handicapped individuals who are in need of the services of such a unit so that they may live happier and normal lives and can be returned to the community as useful citizens whenever possible. To reach this goal there are four fundamental areas that must receive complete support:

1. *Personnel.* There is an insufficient number of well trained personnel on the institution staff which results in an inadequate program for the mentally handicapped and reflects itself directly in a low discharge and leave of absence rate. Increased personnel is necessary in all areas: medical, nursing, social service, rehabilitation therapies and other ancillary groups. This will result in an increased service to the people of the State and will be a true economy in that more patients will be returned to the community to live more self-sufficient lives.

2. *Buildings.* Additional ward buildings are necessary to relieve the overcrowded condition now existing in this institution and to provide care for those patients now on the waiting list. These buildings should be constructed as rapidly as possible in conformance with the program sponsored by the Department of Mental Hygiene and based upon statewide population studies. Existing facilities are unable to accommodate even one more patient.

3. *Material and Supplies.* For the maximum utilization of the personnel and the buildings increased material and supplies are essential.

4. *Research.* The study of the etiology of the mental deficiencies is in its infancy. Little is known, for example, of such conditions as mongolism and cerebral palsy. Although the least tangible of all active attacks on the problem of the mentally handicapped, research is of the most basic importance. Facilities and finances for such basic work have traditionally been lacking. The importance of an active and continuous research program cannot be overemphasized

NAPA STATE HOSPITAL

The Assembly Interim Committee on Public Health met at the Napa State Hospital on August 3, 1950, and in addition to the committee there was also Senator Nathan Coombs, representing Napa County, together with Dr. T. K. Miller, Superintendent and Medical Director of the Napa State Hospital; Dr. Reginald Rood, Assistant Superintendent; Dr. W. A. Oliver, Director of Clinical Services; Delbert J. Bradley, Business Manager; and Mr. A. Edward Nichols, representing the Department of Mental Hygiene.

Dr. Miller thanked the committee for meeting at the hospital and assured the members that he wanted to make their visit just as informative as they could. Dr. Miller, in his opening statement, stated: "Napa is the second oldest institution in California, having been completed in 1875 The old main building was the entire institution at that time,

housing patients, personnel, administration, and everything Stockton is the oldest institution.

"Our aims are treatment, teaching and research. Our particular aim now at this institution is that everyone in the hospital, among the personnel, that is, shall be a therapist. We feel that making everyone in the hospital a therapist is going to do much more for the patient than we did in the past. The hospital attendant spends 24 hours a day with the patient. There is no way to tell which patient is going to respond to treatment and which will not. We must consider every patient as one who is going to get better. So, we give every attendant this "in-service" training, teaching all the personnel in the hospital to be therapists. We use every recognized therapy. In addition to that, we feel that we have to improve the patients' living conditions. In moving out of the old buildings into the new, we moved 100 male patients who were always bed patients. We put 50 in one ward and 50 in another and within a very short time they had all but four patients in one ward out of bed, and all but 12 in the other. This is attributable in large part to more pleasant living surroundings. They are interested in living again. We think that it is very important to make living conditions in hospitals approximate normal living conditions. There are many patients who are not going to get well. They are entitled to live as normally as possible, because, unfortunately, they are individuals who came here through no fault of their own. They have committed no crime. So their living should be as comfortable as possible. In doing this, we have bought pianos out of our benefit fund. Every ward now has a piano. Every ward has occupational therapy, orchestras, sings, dances, and has good times not possible without pianos. We have added a vanity shop for the women to go to, and permanents, shampoos and waves, and other beauty treatments are prescribed as part of their treatment We have found that this is a big boost for these women without any cost to them.

"We have purchased a 16 mm. movie projector and have two or three shows every night, which the patients go to regularly, and then we also bring some shows to the wards for those who are bed-patients.

"We have taken the patients' orchestra to the women's actively disturbed ward where those women listened to the orchestra in the day room, and the next day the attendant called me and said the ward was the quietest it had been in a year. It is all good therapy—a form of psychotherapy.

"We have also bought pool tables for the patients, and television sets We have two sets and have ordered 20. We put one in the men's parole ward for six months where from 40 to 100 patients watched the show every evening We have a problem here that there is not too much for them to do in the evening and many used to go to bed right after dinner. With television they have asked to stay up until 10 or 10.30. They like to watch the wrestling matches especially. Maybe we can get money from the State for all of these things, rather than from the benefit fund.

"One thing we have stressed at this institution is ground privileges for the patients Close to 1,000 patients now have ground privileges. They go to and from work on their own responsibility. We are not a penal institution. Our patients are mentally ill. A good form of treatment is to give them a little more responsibility just before they go home—let them go around unattended—to the canteen, etc We have heard from

relatives such things as this: A doctor in Oakland had a relative here and we realized this person could not get along outside the institution. The doctor said he had been asked to take him home, but as soon as he was moved into the new building he was willing to stay. That reflects in a way the atmosphere we are trying to create. It is through your help and the Legislature as a whole that we are able to do these things. This last Legislature has allowed us more professional personnel. We have 4,000 patients here, and we had no recreational therapists. We had six occupational therapists, a very small number for so many people. You gave us three occupational therapists and supervisors, more doctors and professional people, psychiatrists, etc., to do a better job. We were also able to increase our nursing personnel.

"I would like to just say that of these 4,000 patients we have one unit for children—60 behavior patients sent to us by the juvenile courts for a 60-day observation. Their behavior problems might indicate a mental disturbance which, with early treatment, might prevent them from developing into juvenile delinquents. This unit is in a sense a research ward. We will learn early signs of mental illness, treat them earlier, and prevent them from becoming criminals perhaps. This will start them out with a chance to rehabilitate themselves, and will keep them from becoming an added expense to the State at a later date

"In the last few years we have had consultants, specialists in certain categories, to help us in our treatment of patients Dr. Soto-Hall of San Francisco, an orthopedic man, has been helping us in fracture cases, etc. He brings a team of four or five men with him who work with him all day pinning hips, reducing fractures, and in general, helping immensely. We have other specialists too like eye, ear, nose and throat, T. B., etc., who come once or twice a month.

"We also are supposed to take care of the T. B. mental patients in the northern part of the State. We have one unit of about 240 active and possibly 250 inactive, or arrested, cases here We plan on a new building to take these patients from other institutions They have given us additional equipment for that reason and at the present time we have reduced the incidence in the state hospitals remarkably by taking chest X-rays of all new patients as they come in. The Public Health Department comes out and takes films of the patients and the employees in the hospital.

"We have one new building coming up for a treatment center, and will house the receiving unit and a few wards Buy us some X-ray therapy equipment and if this is concentrated at one institution, it will represent a tremendous saving to the State.

"Dr. Williams at Mendocino called up one day and said: 'We have six eye cases up here—six patients with glaucoma. Will you take them down there?' We can see this institution developing into a specialty hospital for the physical treatment of patients, those requiring X-ray, eye conditions, T. B. and other conditions The patients will get better treatment where we have the equipment to take care of them.

"It has been very gratifying to me in the last few years to get letters from former patients. In fact, when our patients leave the hospital, we write and say we would appreciate hearing from them and would they tell us what helped them most in the hospital, and what would have

helped them more, had we had it. Of course sometimes we receive constructive criticism, but there has been a falling off of complaints relative to the treatment of patients. They have diminished very remarkably due to the fact that we are making everyone treatment conscious in the hospital—teaching them to take an interest in the patient.

"I want to make some comment on our ground privileges. Out of 1,000 patients with ground privileges, we have about 20 or 25 leave each month without permission. They are usually in better mental condition reaching the approximate time when they will leave the hopsital, and they just get overanxious to get out and take off. Only occasionally do we have a dangerous patient getting away. When we do we notify the local sheriff, and the sheriff from the commitment county; and if he is especially dangerous, an all-points bulletin is sent out so everyone in the State is alerted.

"We will develop here residents and internes. We have had for a year now six graduate students from the University of California in psychiatric social work, and two residents every three months from Langley Porter in San Francisco. They spend three months here and at San Quentin, and three in San Francisco hospitals We feel and know that the mental hospitals are an untouched field so far as research is concerned. We have over 30,000 in these institutions We feel that universities and clinics will take advantage of this opportunity to carry on research in institutions. At the present time there is no money for research. The time should come when they will allocate us money to carry it on."

Dr. Wrenshall A. Oliver, a member of the staff of the Napa Hospital, presented the committee with the following reprint written for the American Journal of Psychiatry, Vol. 106, No. 4, October, 1949 Dr. Oliver wrote the article himself and it has received national recognition.

A State Hospital Children's Unit

"As children's units in state hospitals are a relatively new departure in institutional psychiatry, it might be of some interest to survey the experiences of this hospital from the standpoint of past difficulties and future planning. In 1943 a children's unit was established at Camarillo State Hospital for the Southern California area, and later the same year a similar unit was set up here at Napa State Hospital for the northern part of the State. Provision was then made in the Welfare and Institutions Code enabling the juvenile courts and the California Youth Authority to commit children for 90-day observation periods for psychiatric study. In view of the insatiable need for and well-known lack of such facilities in general, the units were soon filled and have had long waiting lists ever since. Considering the complicated nature of psychiatric problems in children, prolonged intramural observation has obvious advantages over the outpatient type of examination and work-up, no matter how expert or complete.

"Admissions to the unit are of three types—the observation commitment mentioned above, superior court commitment where actual psychosis has been diagnosed prior to entry, and the voluntary admission in which the application is signed by the parent or guardian Of all admissions to this unit so far, 57 percent have been from the juvenile

courts, 16 percent from the California Youth Authority, 7 percent mental illness commitments, and 20 percent voluntary admissions. With the exception of the voluntary application, the hospital exercises no selection over admissions, which circumstance, in view of the crowding and long waiting lists, had led to numerous heated discussions among the staff. It would, of course, be nice to accept only cases that would not be troublesome and that present a good prognosis, but the prevailing opinion at present is that no one has the psychiatric omniscience to make such selections, an opinion that has been strengthened by the not infrequent favorable outcome of cases that would certainly have been rejected under the selection system. Another result of this situation has been an informative and interesting experience with a wide range of problems.

"The unit is housed in a cottage-type structure appropriated (but not designed) for the purpose, located on the hospital grounds in close proximity to the other buildings. It consists of two mirror-halves to permit segregation of the sexes, with 26 beds on each side. Most of the beds are in dormitories, with a few in individual rooms, and there is a dining room on each side. Food is brought to the building from a main kitchen, but there are some kitchen facilities on the wards for the preparation of refreshments for parties, etc. There is space for occupational therapy, some office space, and two play halls, one of which is half-filled with beds. A temporary structure apart from the building serves as a schoolroom, and the children have access on a part-time basis to the main hospital's recreation hall for sports and recreational activities. Children of all ages up to 18 are housed in the unit, with the exception of the frankly psychotic, and the severe behavior problems in the 16 to 18 year group, who are housed in certain of the adult wards. The unit is staffed by two psychiatrists, a clinical psychologist, a psychiatric social worker, an occupational therapist, four teachers (one of whom functions as recreational director), and 10 attendants on various shifts. The general atmosphere is permissive, the children are given considerable freedom of the grounds, and there is no segregation of the sexes in the planned social and recreational activities. Diagnoses, plans of treatment, and dispositions are decided by the entire staff in weekly conferences conducted by the clinical director. The work-up consists of the usual medical and psychiatric examination, plus such psychological testing as seems indicated, and reports by the social worker of contacts with members of the family and other social agencies."

"The vagaries of psychiatric diagnosis being what they are, the following figures are no more valuable than other similar ones, but may serve to indicate in a general way the types of problems dealt with. Of some 600 cases handled by the unit since its inception, 30 percent have been classified in the primary behavior disorder group, 12 percent in the neurotic group, 20 percent in the functional psychosis group (93 percent of these were schizophrenic), 15 percent in the psychopathic personality group, and 8 percent as mentally defective. The remaining 15 percent were made up of a variety of conditions such as juvenile paresis, convulsive disorders, chorea, etc."

Problems Encountered

"The first problem is that of physical facilities. It is recognized that these are inadequate, from the standpoint of size, arrangement, and

location. While it is doubtful if any children's psychiatric unit, no matter what size, would ever be large enough to make a dent in the total problem, it is nevertheless within the realm of possibility to visualize housing and staffing two or three times the present bed capacity. We should like also to get away from the ward idea, which too much resembles the old-fashioned orphanage or the average detention home, and approach the cottage type structure housing smaller numbers, and permitting better age-group segregation. Plans have been formulated and funds appropriated for the construction of such a unit, which incidentally will be located away from the main hospital grounds.

"An even more vexing problem has been that of public relations, the word 'public' including the local townspeople, law enforcement agencies, and certain juvenile court authorities, to say nothing of many employees of the hospital itself, who took the traditional attitude that there were bad children who should be securely locked up (somewhere else) and not permitted to disturb the peace. This punitive attitude is of course understandable and is furthered by the permissive therapeutic approach which leads to some escapes and local misdemeanors. It must be said, however, that this difficulty is steadily diminishing, due partly to the effect of time, and partly to extensive efforts to acquaint the public with the purpose of the undertaking. These efforts have resulted in obtaining financial assistance from service groups and the use of community recreational facilities such as nearby 4-H Club camping facilities, and in other ways.

"The staff problem can be summed up in a few words—lack of trained personnel; but it has been a source of pleasant surprise to learn that there is no lack of intelligent interest, and we have obtained some excellent attendants purely by the process of trial and error. Such intelligent interest plus a certain knack (for want of a better term) in the handling of children are very good substitutes for formal training.

"From the purely psychiatric standpoint, we are babes in the woods of the youngest branch of a young science, facing innumerable unsolved questions of etiology, diagnosis, treatment and disposition. It has been said that diagnosis is of secondary importance in dealing with psychiatric problems, especially in children, and with this we agree. But "secondary importance" does not mean no importance at all, and we are not ready to toss overboard years of training in scientific medical discipline. Diagnosis is a good point at which to crystalize thinking, and there is a faint suspicion that our impatience with this situation is a rationalization of ignorance. One needs only to peruse the American Psychiatric Association nomenclature which is mandatory in the California state hospital system, noting particularly the categories primary behavior disorder and psychopathic personality with their long lists of peccadillos, misdemeanors, and felonies Here is diagnosis on a strictly symptomatic level, something which is frowned upon in every other branch of medicine. There is growing dissatisfaction, reflected in recent psychiatric literature, with the whole concept of psychopathy, and one way to change thinking on the subject might be to discard the term altogether. From the semantic standpoint it has acquired for psychiatrists an aura of hopelessness and provokes fear-laden rejection on the part of juvenile authorities and social agencies In many ways the situation is reminiscent

of epilepsy, which is now universally regarded as symptomatic, and the fact that some cases are labeled idiopathic means only that the etiologic factors are unknown and furnish a subject for research. Epilepsy is no longer a visitation of God. While we are not ready to propose a new nomenclature to be added to the many now in existence, we are convinced that the reactions and behavior patterns of children should not be judged and labeled from the standpoint of those of adults, and that diagnosis and treatment should be oriented toward dynamics rather than external manifestations.

"Treatment facilities are those which are more or less standard in any children's psychiatric unit—individual and group psychotherapy, occupational therapy, remedial education, recreation and athletics, correction of contributory physical defects, shock therapy in selected psychotics. The question of which case responds best to which treatment is a matter of accumulating experience and will be the subject of future papers. Some children seem in desperate need of individual therapy, others do better without it. Our experience with juvenile schizophrenics is not encouraging, agreeing with that of others, but the shy, introverted, possibly prepsychotic child does well, encouraging us to feel that psychosis may be prevented. The first real advance in cancer research came with the five-year study, and this must be applied to psychiatry if we are to assess the value of our efforts. The follow-up study is the autopsy table of psychotherapy, revealing mistakes and lighting the way for the future.

"In disposition of cases lies by far the most difficult problem of all. While they are far from perfect, facilities do exist for the defective, the psychotic, and the severely delinquent 'psychopath,' but the bulk of our cases are not in these categories. The treatment program might be summed up as preparation of the child for an adjusted environment to be followed by provision of the adjusted environment; and if their half of the program fails the entire effort breaks down This means continued psychotherapy for the family as well as the child, or the finding of suitable placement in those instances in which the family is out of the picture, as is frequently the case. Outpatient facilities exist in the larger cities but are completely lacking in less populous areas. Placement facilities are also inadequate but to this is added the difficulty of a wide variety of independent social agencies—city, county, state, private, religious, etc., with rigid financial, geographical, and other limitations. We have felt that some centralization of these efforts would result in better utilization.

Summary

"The development and functioning of a state hospital children's psychiatric unit have been sketched. Problems of physical facilities, staffing, and in the diagnosis, treatment, and disposition of cases have been indicated. We would welcome communication from other similar units for the exchange of information and experience."

The request was made of Dr. Oliver that he make a distinction between the psychopathic delinquents in Mendocino and Sonoma and the cases brought to Napa. Dr. Oliver's reply was as follows: "Ours are sent here by the courts, by the Youth Authority, and we also have voluntary admissions for study. They are usually cases in which a behavior disorder is present and in which mental or physical disorder is suspected as a possible cause. We would consider the cases at Mendocino and Sonoma as

failures in which there was insufficient study and treatment early in the course of the disorder. Only a small percentage of children from Napa go to Mendocino and Sonoma. Those that do have usually come to us too late.

"As regards our adult cases, we have felt for a long time that a considerable percent are acute disorders not lasting very long, relatively young individuals, which, if we could treat them intensively, could be restored to normal mental health and return to society without ever getting into a chronic state which so many developed into in past years. The tendency has been for chronic cases to pile up but we hope we are, and think we are, on the right track—that we are preventing this sort of thing. We have set up a special ward for that kind of case in both the men's and women's sections. In the men's ward in the first year they handled 229 cases—about one-fourth to one-third of all male admissions for that year. Of the 229, we were able to discharge at the end of the year's period 135. I mean to say that at the time these figures were compiled 135 had left the hospital, and the average stay was 15 weeks, which is less than four months. A similar group of cases without being treated intensively would have an average hospital stay of seven months That has cut three months off for that particular group. This was a small ward. There are more such cases than we can handle and we want larger facilities for that type, and more personnel and equipment for that purpose. The women's ward had a similar record."

Dr. Oliver then explained some of the activities of the hospital. He takes the patients that are admitted and weeds out the different variety of cases, he taking only for his own observation the mental cases, in order to make up a chart indicating the activities of the hospital. This chart was started in August of 1947 and was to be kept over a period of years in order to observe the trends. The trend is gradually upward in admissions and also upward in leaves of absence.

When a patient is ready to go home he is given a period of home adjustment, and if for any reason the home adjustment period is not satisfactory, the patient may return without the necessity of going through a court commitment again. A vast majority remain at home and are discharged after a certain period on leave of absence.

In June of 1950 there were 99 admissions of mental cases and 53 leaves of absence, and a total of 118 leaves plus discharges The admission rate at the present time is approximately 150 per month on the average, which includes all types of cases. If all patients could be treated intensively, the hospital stay would only be about three to four months. Another important factor is that about one-fourth of the patients are senile, presenting chiefly medical problems, not psychiatric. They require a different type of treatment altogether. They present two problems at once.

Mr. Nichols, representing the Department of Mental Hygiene, stated that Dr. Tallman, the Director of the Department, is deeply concerned over this senile problem, and stated that the department takes care of them because the county from which they are committed cannot take care of them. The Governor, the Department of Social Welfare, and the Department of Public Health are also greatly interested in these cases.

They are a growing and mounting problem and will be given careful consideration at the state level. It has been discussed with the supervisor's association. Because of this serious existing condition the Governor is calling a special conference on September 14th to discuss ways and means of taking care of this senile problem, and the Governor's message presented at the conference together with a preliminary report of the Governor's Conference on Care and Treatment of Senile Patients will be found further on in the report.

Mr. Nichols also stated that many of these cases were pensioners, and as they did not receive their pensions while confined in the institution they were unable to pay for their care while in the hospital. However, under H. R. 6000 recently signed by the President, the provisions include the payment of pensions to these individuals, out of which they will be able to pay the $60 per month charged for their care while confined.

Mr. Nichols also stated that it was not so much the fact that seniles were a load on the state hospitals that the department was concerned with, but the state hospitals are set up for active treatment and these people do not need active treatment. One of the things that is annoying is that when an older person has been sent to an insane hospital, the whole family feels it is in disgrace. Why should they be, when he is only old and physically handicapped? Other arrangements should be made for these persons so that they would not have to be placed in a mental institution such as many counties have, for instance, Rancho Los Amigos in Los Angeles which is not large enough to take care of the number of people who desire admission; and the Laguna Honda Home in San Francisco County which cannot meet the need either.

Dr. Oliver commented on research as follows: "Research requires three things—people to do it, time and money. We have cooperated in several research projects here. Recently there was a joint effort by the University of California, the Langley Porter Clinic and ourselves on the subject of arteriosclerosis. We have a brand new lead on that which has not been published yet. But we devoted time to this by robbing it from something else. We have 19 doctors for 4,000 patients, and that includes Dr. Miller and myself—also Dr. Rood of our administrative staff. When you divide that, you can see the demands put upon the professional staff in all categories. There was another project—a U. C. student who is a Ph.D. doing a research problem on physical therapy for six months. It took a good deal of time to assist her.

"T. B. represents another problem. There are lots of new drugs and treatments but they are expensive to start. Some of these drugs cost us $10 to $12 a dram. So you can see it is expensive and we cannot dip into our appropriation to buy these new drugs so we have to wait until they come down in price before we can start to use them. I would like to see a fund set aside for the use of some of these things so we would not have to be the last ones to use them. Strepto mycin is very important to the treatment of T. B. right now."

Dr. Miller then asked Mr. Bradley, the business manager, to explain to the committee the building needs. He stated as follows: "At the present time, as you probably know, our plant is being almost entirely rebuilt. The main building is going down which held 1200 patients. We

are trying to find out our total need. Two buildings have just been completed which were built for a particular kind of patient—the locked ward patient. Half of them were originally planned for bed cases and are not now working out because we have improved treatments and facilities, and they are now ambulatory patients. We do not have enough capacity for parole patients—not the proper type of facility. We are going to ask for an additional building to take care of that type of patient. We are contemplating at one time a capacity of 7,000 which all agree is entirely too large for a mental hospital; but, nevertheless because there was a capacity problem, it was decided Napa would be that large. But Dr. Tallman is now holding it down. We have approximately a 4,000 capacity here now and it may only go up to 6,000. Our boiler plant will carry that larger institution and we are just now finishing the new kitchen which we hope to move into in two weeks. It will handle up to 8,000 if necessary. That was built with the idea we would have a capacity of 7,000 and we would be able to carry 7,500 patients and the increased personnel to serve them. We have been working out of an old kitchen area built to take care of 3,000 patients. We have been ashamed of it but couldn't do anything about it.

"We have also been asking for an incinerator and we finally have the money for it. We received it from the Legislature two years ago. The Public Works Department designed one and is just ready to start it. We have been burning a certain amount of wet garbage which we couldn't feed to the hogs; and we have had an open fire for the burning of dry garbage. We are very grateful that we will have an incinerator to take care of that."

Dr. Miller: "When I came here the patients were only allowed one bath a week and one change of underclothing. We decided it would be well if they could chance twice a week and bathe every night if possible. From that day to this the laundry has been inadequate. Some patients slept all day long and slept in the night in the same underwear. We are trying to get night clothes so they can change their clothes twice a week. The laundry has been a bottleneck but we have plans to expand it. We have to graduate from what we did for years when they took one bath a week; and when you try to step up the care, you run out of facilities."

Mr. Bradley: "We do not do the laundry here which we could do and should be doing. We have never caught up with our linen needs, but are getting caught up now. We do have some money for a laundry now and hope to get started on that. That is another reason why we want to get final determination of our capacity here. It is foolish to build a laundry beyond our needs. I was also interested in this old age discussion for the same reason. We were contemplating the enlargement of the unit to take care of that type of patient also. They merely need physical care. At the present time we have a small unit which we know as the Coombs Ranch. There is a nice quiet little group up there taking care of themselves. We were planning to expand that if it became a regular state responsibility."

Dr. Miller: "I have never known any institution to overbuild yet. We never have the facilities we need, and have never caught up on our building. From experience in New York, the better and bigger you build them, the more they will send to you. Not so many years ago they sent

patients to us as a last resort. If treatable, they didn't want to send them here. Now it is economically sound to send them here, get them cured and out."

Senator Coombs stated: "There is one value of Napa which neither the people nor the Members of the Legislature realize. They confuse our climate with the valleys and think it is hot here. This is a beautiful cool summer climate—a mild weather climate."

Dr. Miller: "Yes, I have worked in two institutions and would pick this one out as having the best climate."

Dr. Miller continued: "We might just briefly cover the needs of the hospital. The hospital is working on building the patient's food up to standards of employees. Some states now have the same kind of food. We do not but are working on it.

"Another big problem is overcrowding. We have 4 percent over and Agnew has 40 percent overcrowding. It cuts down on the treatment angle. At one time we had beds up and down corridors to rooms, and everyplace else. We have been told we will have to enlarge other hospitals. We have to add 16 new beds in each new building. (In this respect, the State makes the laws but also breaks them.) We are also going to put in a swimming pool at this time, as that is a good therapeutic agent. Palo Alto has one, I know. Back in Connecticut they have a nice pool. It gives patients an opportuntiy to wear off a lot of energy.

"We need money for research.

"We have a new auditorium coming up. That means we can put on a picture show for 1,000 at a time. Many recreations are curtailed in winter months for lack of proper auditorium space.

"There is one thing I do want to mention. We do have about 100 women coming here every week from Marin County, Napa, Solano and Contra Costa who give us lots of help in occupational therapy, taking the patients for rides, downtown shopping, etc. Then too, the service groups sometimes take our patients to ball games, etc. They recently took a group to Oakland.

"You will probably read in papers about escapes from the childrens' unit. They are not psychopathic delinquents. They are children who need help. We tell them that this is not a penal institution. We want to make them feel they are wanted. They are practically in open cottages now.

"They go to school and have other activities. A certain number run away at times but we have found that ordinarily that is good therapy. If a child runs away and finds he is not gaining anything, he will come back and be benefited They find ours is a very liberal program. We want the children to know we want to help them. We had one girl here who completed her school work in the institution and who was given the same examination as the Napa children receive, and she was graded 95 percent. We do not have anything happening in our childrens' unit which does not happen in the public schools in any community. We want to develop a 150 bed unit. We have a long waiting list and would like to accommodate all of them. We are satisfied in our own minds that we are accomplishing something and should make it available to more. We have about 100 children in the hospital and about 60 are in the children's unit. We sometimes take some of the older boys and put them in an older ward.

The judge from Ukiah called us about a 16-year old boy he wanted to do something for and when we told him we would have to put him in an adult unit, he said he didn't want him with the insane patients He came down and looked over our therapy wards and talked with the probation officer, and after that he had no further objection to sending the boy down. I know you do not have much time today but I want to give you an invitation to return at any time and look over what we have here."

Mr. Nichols: "There is another point. In planning for the staff of the new juvenile unit—that is something the Legislature will be asked for—the actual money to build this unit. I know you plan to build it on separated property and that will certainly come up in your budget request—how does that go into your over-all plan for psycho delinquents? How does it work into the plan where you have your other mentally ill patients? How does it fit in?"

Dr. Oliver: "It would be part of the same administrative set-up. These children require personnel of higher rating—social service workers, recreation and occupational therapists, good doctors of psychiatry, psychologists—in general, more specialized personnel rendering a constructive service in saving them from becoming criminals and remaining in state hospitals or jails. These cases are so often mild behavior problems and while the court feels there is something wrong with them, they do not have the facilities in the counties to do an expert job So they are sent here for a brief period of observation and diagnosis and then a recommendation is sent back to the court. Often they do remain here for more than 90 days so the treatment can be continued, and inside of a short time they are pretty well cured. They go back to the juvenile court and the court sends them back home. If we do not feel the therapy here is sufficient, we send them back to the juvenile court and the judge decides what should be done with each individual case, depending on the seriousness of the offense. If mild, they take care of it locally, and if serious, they send them to the Youth Authority. We make a recommendation to the judge and he sometimes recommends commitment to Sonoma. We try to keep away from all feeble minded cases because they belong in Sonoma or Pacific Colony. We can't mix them with this group. We try to limit the cases to behavior problems."

Dr. Miller: "With respect to this children's unit, we made quite a study of the problem and visited five different units throughout the United States Our conclusion is that they are better off in a cottage type residence for about 15 patients, rather than in dormitories. We try to get away from the institutional atmosphere."

Tour

The committee made an inspection of the old and new kitchens. The old kitchen was the original kitchen built for the hospital in about 1875, with stone floors, boiling pots and very little baking facility. Here the outmoded facilities were preparing food for 5,000 people three times a day. As in the other old kitchens visited by the committee, the diet consisted principally of boiled foods, most unappetizing. The food is carried in large cans in trucks to the various buildings.

The old bakery and butcher shop were also visited to give the committee an idea of the comparison between the old facilities and the new

kitchen, bakery, butcher shop, etc., which were to be in use in about two weeks.

The new kitchen, bakery, butcher shop, etc., represents the very latest in equipment of all kinds—tremendous mixers, revolving ovens, walk-in refrigeration, deep freeze lockers, huge steamers for vegetables, slicing and cutting machines, ice cream makers, doughnut machines, and many other modern innovations. The cafeterias were also modern works of art for both employees and patients. (Napa has 900 employees.) The buildings all face west. Nine hundred fifty thousand dollars was the cost for the new kitchen, dining rooms, bakery, butcher shop, etc.

The committee then visited the ward for the acutely disturbed women. Here the surroundings have been made more cheerful recently by the use of colorful chairs, tables, draperies, etc., replacing the drab wards of the past with the long wooden benches, etc. The committee heard disturbed patients, saw patients who had received shock treatments lying in a darkened room in wet sedative packs which produce a relaxing, quieting effect. They were taken into a room where the patients are given quieting baths for an hour or two in 100-degree temperatures.

The doctors pointed out one or two cases where the patients had had prefrontal lobotomy operations, an operation on the brain which reduces emotional pressure. It is used as a last resort for their very worst type of case. Patients must be in the hospital for five years before such an operation is performed, and not until every known treatment has been given is the operation made. Results are very encouraging and they find they can send the patients home in a relatively short time. The patients revert to childhood and have to be re-educated, but they learn quickly.

Dr. Miller pointed out that in this ward, as in all of the new wards, the arrangement is that the doctor has offices right in the ward rather than in the central administration building. That means that he spends 90 percent of his time right in the ward with the patients.

The next stop was one of the new wards being used as a convalescent ward and a ward for the patients who were soon to be discharged. These wards were painted in soft blending pastel colors and furnished with colorful chrome furniture. The beds were all comfortable and covered with bright colored spreads, and there was a bedside table and locker for each patient. The aim now is to make the wards (especially the convalescent and parole wards) approximate as nearly as possible normal living, and Dr. Miller said no finer facilities would be found anywhere in the United States. All of the mistakes of other institutions have been corrected in these new wards. The nurse's desk is arranged so that she has access to and can see into four wards at once. Dr. Miller said the doctors responsible for certain buildings would have an office in the center of the group. Large photo murals adorned the walls of the new wards but the Division of Architecture had decided that there would be no more for reasons of their own. The staff and the committee felt that the murals were most appropriate for the adornment of the day rooms in these new buildings.

Each doctor in these new units is responsible for 436 patients. Many patients were sitting outside who previously were bed patients, many were in wheel chairs, but all of them were vastly improved in health since they had been moved into the cheerful new wards.

The dining rooms for these wards were also very attractive. The state dietician sets up the standards for their meals, but when the new kitchen is finished, they plan to give the patients a choice of their main dish—something they have never had before. Each ward has employes' quarters also where they have lockers and where they can shower and change their clothes. There is also a barber shop in each group of buildings and a dentist, (one dentist to every 1,000 patients) who pulls teeth, makes dentures, etc. There is a visiting room right off each ward and a room for occupational therapy. Each ward also has a diet kitchen for special diets, a treatment room, a clothes room, etc.

Dr. Miller said a hospital the size of Napa should have 52 doctors and 80 therapists.

The canteen was visited next where the patients may buy soft drinks, magazines, candy, cigarettes, etc. This is a non-profit enterprise, with all of the profits going to the patient's benefit fund. All patients with ground privileges are allowed to go to the canteen if they have money to spend. There are three paid employees in the canteen and seven patients.

The Vanity Shop was next on the itinerary. Here the operators were very patient. They only had five operators and would like to have 12. They average 43 patients a day, giving them finger waves, shampoos, manicures, permanents, etc. An employee attendant is in charge, who explained the therapeutic value of the beauty treatments on the patient. Some patients are afraid to have permanents, etc., and in this case they are usually allowed to sit in the beauty shop for a day or two until they are convinced there is nothing to be afraid of and that a treatment will improve their appearance. The morale building value of this particular therapy cannot be overestimated. In the larger wards a patient gets a beauty treatment every third or fourth week; in the smaller wards, every other week, and patients are worked on for special occasions.

The next stop was the Children's Cottage. The committee was taken into a large room which was a combination recreation, conference and sitting room. The building is in two sections with the smaller girls on one side—as young as 5 years old; and the larger girls have an average age of 15. All are of normal intelligence or better. They primarily represent behavior problems—maybe children where the juvenile court judge needs assistance—or they are children showing early signs of mental illness. There are three teachers for this cottage and the girls go to school all the year round. They are taken swimming and they play games and baseball.

While the committee was there, there were several Gray Ladies working with the girls. Their school is a special type of school, giving remedial reading for those who are emotionally disturbed, occupational therapy, various therapeutic activities; and the psychologist sees certain cases several times a week. They are taught group activities like cooking, and the superintendent of nurses is holding a class in home making. One of the teachers is a former athlete and organizes athletic teams, and between them they manage to keep the girls pretty busy.

Dr. Oliver stated: "Every child is thoroughly worked up when he comes in. A complete examination and history, lab work, psychiatric examination, psychological tests (I.Q.), a complete review of former

records. (Some have had studies made in other places). Then we have staff conferences and discuss each case, discuss their physical defects, and determine upon a type of treatment—whether individual or in a group. After two months we hold another conference as to results—getting staff opinions as to the outcome, and whether further treatment is recommended, and if so, should it be here or where. Whether the child needs a foster home is also considered, or whether it should go to a Youth Authority institution, etc. Some are actually psychiatric and they are treated much as we treat similar adult patients. In many ways they are more complicated than adult patients. There is not as much knowledge about child psychiatry. Juvenile court cases are sent on a 90-day basis, but we can keep them for another 90 days if we wish. On some we extend the time to two or three times if we are definitely getting results. We prefer to keep them on until the job is finished.

"The voluntary cases have no particular time limit set on them, and we keep them indefinitely unless the parents insist on taking them out. Sometimes the parents are harder to handle than the children. However, the voluntary admissions are increasing with parents bringing their children in. That is true also of the adults asking to come in.

"Then we have this new public health commitment law for old people which obviates the court procedure. The public health officer examines and determines if the person needs care in an institution, and if he does, and if no one objects, we accept him. If the patient himself says he doesn't want to be here, they won't take him or keep him, so no one can ever say a person was kept here against his will. But the vast majority of adults come to us under court commitment."

The girls in the cottage also have a nice recreation yard, and a cheerful dining room. There are 22 girls in cottage now, with a capacity of 26. The problem girls live in dormitories and the others have rooms.

The recommendations of the committee pertaining to the Napa State Hospital are as follows:

Recommendations

1. Money for research.
2. More money for clothing and linen.
3. Increased food allowance.
4. Replace Ward 21 and P with convalescent words.
5. Replace Coombs Ranch wards (firehazard).
6. Children's unit.
7. Auditorium and recreational center.
8. Increased T. B. C. buildings to care for T. B. C. patients in other hospitals.
9. Training center and housing for affiliate nurses.
10. Therapy shops.
11. Increase professional and ward personnel.
12. Increase equipment for recreational and allied therapies, i e., T. V., vanity shop equipment, etc.
13. Automotive equipment for transportation on grounds for patient details, transfer of patients, mail, drugs and kindred activities.
14. Increase allotment services in specialties

ADDRESS OF GOVERNOR EARL WARREN

PRESENTED AT THE

CONFERENCE ON THE CARE AND TREATMENT OF SENILE PATIENTS

Sacramento, California, September 14, 1950

LADIES AND GENTLEMEN: Today I welcome you to Sacramento and to this important conference on the care and treatment of the senile aged. Of all our State's resources none is so valuable as our people, old and young alike. And as with other resources, much of their potentiality has yet to be developed. There is no group of whom this is more true than our older citizens.

It is our responsibility to see that the aged have the opportunity to lead dignified, productive, and independent lives. We must agree that we are short of this goal.

The facts reveal that older people constitute the most rapidly expanding age group in our population. During July, 1950 it was estimated that there were nearly 900,000 persons 65 years of age or older in California. A large percentage are economically independent and are leaders in our social and business world; but regrettably, nearly half of them are dependent upon public assistance or upon relatives or friends for support.

The problems of older people in our society can be understood clearly only in the light of changes in our ways of living and the increase in our life expectancy. Whereas in 1900 life expectancy was 47 years, by 1950 twenty years had been added.

During this time, other basic changes were taking place. Families formerly living in an environment which was predominantly rural and self-sufficient moved to the cities. At the same time, the size of families decreased, their living quarters contracted, and it became more difficult for them to house and maintain their older members. Our society affords little means of support for retired wage earners, and we have yet to provide adequate social, recreational, and service outlets for our middle-aged and the elderly. Thus, more and more old people are sentenced to inactivity and marginal living.

Retirement from work and the resultant curtailment of income can impose major adjustment problems in their life program. Too, they may suffer the loss of their life partner or the onset of chronic illness, and the decline of their physical and mental functions may reduce their activity, while society's attitude tends to consign them to comparative isolation. Inevitably, the effort to make the adjustment profoundly effects their physical and mental well-being.

Not unlike the younger person, the older person whose need for affection is not satisfied often becomes lonely and depressed; and lack of status may result in feelings of worthlessness. Thus unsatisfied, psychological need may cause a multitude of personality difficulties and physical complaints; and if the need for bodily comfort is not satisfied, the reaction is often pain and irritability. These are facts that any facilities or programs devised to provide more adequate care for the senile must take into account.

There is an immediate and practical issue with which we are confronted today and which justice demands we settle to the best of our

ability. I refer specifically to the nonpsychotic senile patient who finds himself routed from home to general hospital, to psychopathic ward, and finally to a mental institution because no other facilities are available. Such surroundings are at best strange and confusing. Even younger, more flexible people would find such experience frightening and disturbing. We know senile patients certainly need our care and protection. But the question is, is a mental hospital the place for them?

We have only a few hours in which to consider this matter and since the need for action is imperative, I believe that our conference should limit its deliberations to:

a. An analysis of this problem and a review of existing facilities for meeting it.

b. A discussion of facilities which can be devised to provide needed services and how these facilities can be financed.

c. Recommendations for administrative, legislative, and community action.

I recognize that many of your recommendations will hinge upon the adequacy and source of funds. In this connection, certain provisions of H. R. 6000 which has recently become federal law may ultimately prove of help. As you know, provision is made in this law for the Federal Government to share in the cost of payments to recipients of old age security, aid to the blind, and aid to the permanently and totally disabled living in public medical institutions other than those for mental disease or tuberculosis.

The act further provides that to qualify for such payments to individuals in public institutions, there must be created a state authority to establish and maintain standards for such institutions. Plans are now under way to make the proper provisions for California, and to that end I have included this matter in my special call to the Legislature. The State wishes to assume its full share of responsibility and is willing to work cooperatively with local jurisdictions in financing such services.

A study by the State Department of Mental Hygiene of the 220 patients over the age of 60 admitted to our state mental hospitals during June 1950, shows that more than one-third were nonpsychotic and should have been cared for elsewhere than in a mental hospital. The age of 60 was selected since senility may begin at about this period in life. These patients had one or more of the symptoms typical of senility—forgetfulness, confusion, restlessness at night, irritability, and untidiness. Many of them had no symptoms except forgetfulness and confusion and were quiet and easily manageable. In addition to the nonpsychotic, 19.5 percent of the group were considered borderline, with major symptoms such as delusional thinking.

Projecting from the survey, we can say that of the 2,454 patients over 60 admitted to state hospitals during the year ending June 30, 1950, about 1,350 or 55 percent might more properly have been cared for in their own communities, had there been adequate facilities.

Some additional statistics concerning older patients in California state hospitals further accentuate the problem. The rate of first admissions of persons over the age of 60 increased from 106.5 per 100,000 in 1930 to an estimated 147.1 per 100,000 of the aged population in 1950. Patients aged 60 or over constituted 18.2 percent of all first admissions to state hospitals in the year ending June 30, 1940, as compared to 28.9

percent in the year ending June 30, 1949. This percentage dropped in 1950 as the result of a request by the Director of Mental Hygiene to the courts that nonpsychotic senile patients be cared for in local facilities if possible. However, local facilities are overflowing and the admission rate of the patients to state hospitals is rising again.

Many aged patients are suffering from acute or chronic physical illnesses at the time of their admission to state hospitals. It is not unusual for them to die en route to the hospital or shortly after admission. Their mental difficulties frequently seem incidental to their terminal illness. Thus about every sixth patient over the age of 60 admitted to our mental hospitals in the year ending June 30, 1949, died within 45 days after admission, and one of three died within a year.

Older persons form a larger proportion of hospital population than of admissions. In fact, about one-third of all patients in California's mental hospitals are aged 60 or over.

On the other hand we cannot regard all aged patients as incurable. Of the patients aged 60 or over who were admitted to state hospitals in the year ending June 30, 1949, about one in six were back in the community on June 30, 1950, restored to a fairly satisfactory life with their family and friends.

Senile patients are found in our county as well as our state hospitals. A survey by the State Department of Public Health revealed that over 7,000 patients, or 35.5 percent of all patients in the county hospitals of the State are senile.

These facts call for renewed consideration of rehabilitation programs and restorative services for the aged, and should include in addition to plans for general and special hospitals a discussion of various specialized institutions, convalescent nursing homes, and the possibility of home care. We realize that more definitive surveys are needed of the many aged persons suffering the various infirmities due to old age. We must know more of their social and economic circumstances and the needs for specialized types of services and care.

We realize also that the most effective ways to assist the aged are those undertaken before they grow old. Adequate food, housing, and medical care are necessary for everyone's security, but it is equally important that a wholesome, flexible way of life be established in earlier years to prepare for the later ones.

So we are faced with a long-term task; first, to make possible a way of life for all people so that they can remain physically and psychologically healthy as they grow old; and secondly, to help families learn how to live with their older members and handle the problems of aging.

But today at this conference we are primarily faced with the necessity to plan more adequate care for those who are now senile and need our help. Our plans should take into account their physical needs for shelter, food, comfort, and protection from harm, as well as their emotional needs for recreation, companionship, and continued ties with families and friends. We must remember that these senior citizens, each of whom has made a contribution to life, richly deserve to have every consideration during their declining years.

I know that in the hours ahead your deliberations will be most fruitful. I assure you that your recommendations will receive the earnest consideration of both myself and our state departments.

PRELIMINARY REPORT OF THE GOVERNOR'S CONFERENCE ON CARE AND TREATMENT OF SENILE PATIENTS

This conference, to which 116 people were invited, was held in the Senate Chambers of the State Capitol in Sacramento, on September 14, 1950. The conference was called for the purpose of planning more adequate care for senile persons in California.

Governor Warren opened the meeting. He welcomed the members of the conference; presented a general statement of the problem and its implications; and asked that the conference devote itself to defining the problem, determining what facilities can be devised to solve it and how these facilities can be financed, and preparing and voting upon recommendations for action.

Dr. Frank F. Tallman, Director of the Department of Mental Hygiene, then called upon representatives of four agencies especially concerned with providing care for these patients, to report on the problem as they saw it.

Dr. Lester Breslow of the State Department of Public Health reported that over a third of all patients cared for in California's county hospitals, or about 7,000 patients, are senile. Also, about 10 percent of the patients in private nursing homes are senile.

Mr. Louis Kuplan of the State Department of Social Welfare reported that in July, 1950, there were in California nearly 900,000 people aged 65 or over, 30 percent of whom received old age security. Nearly half of the aged population of the State are dependent upon public assistance or upon relatives or friends for support. By 1960 there will probably be about a million and a half people aged 65 or over in California. Since a large proportion of old people, and hence of senile patients, are financially dependent, their care will be an increasing problem for government in years to come.

Mr. Kuplan also briefly summarized provisions of H. R. 6000, which recently became federal law. H. R 6000 establishes a new class of persons eligible for benefits—permanently and totally disabled, and some senile patients may be eligible for this aid. H. R. 6000 also provides that the Federal Government will participate in payment of old age security, aid to the blind, and aid to the totally and permanently disabled while the recipient is receiving medical care in a public medical institution, unless he has been given the diagnosis of mental illness or tuberculosis. All the implications of this law are not yet clear, but it will have a vital effect upon our planning for senile patients.

Mrs Genevieve Dodge of the Los Angeles County Mental Health Department reported on the county program for senile patients, which is the largest in the State. The senile patients who are brought to the Los Angeles Psychopathic Court are usually far beyond the point of suitability for care in their own homes, and their families have been struggling with the problem for years before seeking help. These patients need not psychiatric care but good food, adequate supervision, and freedom from anxiety There are now over 3,500 senile patients cared for in Los Angeles County under the supervision of the Mental Health Department. The greatest present need is hospital facilities for senile patients who are physically ill. However, the county will need help from the State for any increase of services.

Dr Lawrence Kolb of the Department of Mental Hygiene said that one of the most striking and depressing changes in our cultural pattern during recent years has been the failure to provide care at home for the aged and the tendency in all states to send more aged people to mental hospitals, although all psychiatrists agree that such hospitalization is unsound. Although these patients do not belong in mental hospitals, many improve there because they receive good food and care. More than 15 percent of the patients aged 60 or over who were admitted to the California state hospitals in the year ending June 30, 1949, had been discharged by June 30, 1950. On the other hand, many aged patients admitted to state hospitals die within a few days, and it is evident that these patients were not psychotic but suffering from a terminal illness accompanied by mental symptoms.

A recent survey of patients aged 60 or over who were admitted to state hospitals in June, 1950, indicated that about 55 percent of these patients probably could have been cared for more appropriately elsewhere if adequate facilities existed. More than half of the aged patients now resident in our state hospitals have the diagnosis senile dementia or cerebral arteriosclerosis, and more than half of the patients with these diagnoses could probably be cared for better elsewhere.

As a preliminary to group discussion, Dr. Tallman defined the group of patients properly called senile: Aged persons who have marked loss of memory, are childish, mildly irritable, restless at night, careless in toilet habits, bedridden by the infirmities of old age, and who become troublesome nursing problems because of soiling or difficulty in feeding. Not included are old persons who become markedly delirious or depressed, agitated, destructive, or paranoid and threatening, as these are proper patients for admission to state hospitals.

Dr. Tallman emphasized that the group was to direct itself to consideration of providing more adequate facilities for senile patients, not to preventive measures and gerontology, although these must form part of any complete program for this group. Dr. Tallman then asked that members of the conference present additional data on the problem as they knew it.

A conference member presented additional material on the problem in Los Angeles County. The psychiatric ward at the county hospital, which has a rated capacity of 100 beds, has been overcrowded for five or six years, at times housing 190 patients. A new psychiatric hospital with a rated capacity of 268 beds will be opened in 1951. It is hoped that part of the space can be used for treatment of acute psychiatric illnesses. It is feared that, instead, these facilities will soon be overcrowded because of a heavy influx of senile patients. The county has recently increased its rate of payment for care of patients in private sanitariums, and plans expansion of Rancho Los Amigos, the county facility for care of senile patients However, the county taxpayers cannot continue to assume full responsibility for this extensive and still growing program.

The chairman of the health and hospital committee of the county supervisors' association reported that all of the counties are acutely aware of this problem. All county facilities are overcrowded, especially those for the senile. Only 30 percent of county hospital beds are available for senile

patients, who constitute 36 percent of county hospital patients. County psychopathic wards are sometimes crowded 100 percent beyond capacity.

Many counties now spend 30 cents of the tax dollar for welfare costs. In all but eleven counties, tax rates for 1950-51 have increased by between one and eighty-eight cents. This is a greater average increase than in any previous year, and to a great extent it is due to the county cost of old age security. House Resolution 6000 may help but the counties will also need assistance from the State in capital expenditures for increased facilities and in per-day-patient subsidies.

During the discussion which followed, members of the group brought out general considerations in planning for the aged which reached beyond the assigned task of this conference. It was agreed that adequate planning for senile patients involves community and individual education about the aging process, guidance, consultation services, group work programs, and provision of recreational and vocational resources. Opportunities for group living and continuing usefulness can do much to retard the deterioration of the aged.

Governor Warren said he was sure that all of these matters would be discussed during a subsequent state-wide conference to consider the provision of more adequate services for the aged to be held in the spring of 1951. The special problem of institutional care for the senile was singled out for this conference, because of its urgency and the need for prompt action.

Several discussants stressed the importance of encouraging the family to continue their responsibility for aging members, and urged that no action be taken which might make it easier for families to place this burden upon the community.

Governor Warren felt it was the general will of conference members that our planning for senile patients should foster independence and family unity and keep as many patients as possible out of institutions.

It was pointed out that, rather than trying to "dump" their aged relatives on the community, many families continue to keep senile patients at home at a great emotional cost, especially to small children. If families are to keep their older members at home, they need expert help and guidance from professional people—doctors, psychiatrists, nurses, and social workers—in how to handle problems of the aged without damage to family life. Also, old people themselves would benefit greatly from guidance services.

The group recognized that, allowing for the maximum degree of family responsibility, government still must protect and care for the aged who are alone or whose families cannot care for them. Government must have facilities for these patients, and if the financial burden becomes too heavy for the local community, state resources should be used. Government also is responsible for protecting patients, whose families can pay for care in boarding homes or private institutions, by setting standards for housing and care.

The group agreed that mental hospitals are not the proper facilities for care of these patients. If circumstances permit, the old person is usually happiest in his own home. If placement outside the home is necessary, the choice of facility depends upon the patient's means and his condition.

Licensed boarding homes for the aged offer a comfortable and protected living situation for senile patients with mild symptoms. About 6,000 old people, many of them mildly senile, are now cared for in such homes, and the program might be expanded considerably by active recruitment of homes and careful selection of patients for placement. Private nursing homes, rest homes, and convalescent homes are also suitable for these patients.

Many senile patients are physically ill and need the facilities of a private or public general hospital.

Another large group of senile patients need close supervision so that they will have physical care, protection from the possible dangers of forgetfulness and confusion, and help in caring for their own personal needs. These patients need the kind of care which can be provided by a private nursing home, a private institution licensed for care of the mentally ill, or infirmary facilities attached to a county hospital.

One discussant suggested that we need to work out a flexible program for these patients, which will make it possible to provide each patient with the kind of care he needs promptly and without the necessity to take him through a court procedure and declare him mentally ill as the only way to provide public funds for his care. The removal of such cases from the jurisdiction of the courts would save money and protect the patient and his family from an experience which is often painful and frightening

Representatives of private sanitariums indicated that complicated licensing regulations and rigid application of local zoning ordinances were limiting the possibility of expanding their facilities to offer additional service to these patients.

A number of members of the group felt that even maximum expansion of private facilities would not meet the entire need, since this maximum is limited and the cost of care in these facilities is high. Hence, there is urgent need for expansion of public facilities for institutional care of senile patients.

There was general agreement that elaborate medical institutions are not needed and that cottage-type facilities attached to county hospitals would be less expansive and more home-like and cheerful. Reduction to the minimum of state regulations for construction of such facilities would make it possible for small counties with limited funds to provide more adequately for these senile patients.

General hospitals, both public and private, should be encouraged to establish geriatric and infirmary units so that the senile patient can be given appropriate care and moved within the hospital when his condition requires it.

At this point, the group went on to consideration of how more adequate public institutional facilities for senile patients may be financed, and Dr. Tallman called upon Mr. Charles I. Schottland, Director, Department of Social Welfare, who had just returned from a meeting in Washington on HR 6000, to explain the provisions of this legislation further. He stated that, in order to be eligible for federal funds while cared for in a public medical institution, the aged, blind, or disabled person must be receiving medical rather than merely custodial care. A person is considered "totally and permanently disabled" if he is unable

to perform any kind of work, even ordinary household duties, and if he cannot be cured by any resource now known to medical science. Many senile patients, if not diagnosed as mentally ill, will be eligible for aid under this program.

Use of Hill-Burton funds for construction of hospital facilities for these patients was discussed. It was pointed out that funds cannot be granted for construction of purely custodial or infirmary units, but can be granted for acute units or geriatric units with a definite program of medical treatment.

The group agreed that, in order to provide more adequate care and treatment facilities for senile patients, the counties will need financial help from the State in both construction costs and operating expenses.

The provisions of the Hill-Burton Act and of HR 6000, if these are implemented by the State Legislature, will assist the counties. However, it appears that additional aid from the State will be needed.

In the light of this discussion, four resolutions were framed, presented to the conference, discussed, and adopted unanimously. Governor Warren then thanked the conference members for their contributions and closed the meeting.

The four resolutions follow:

1. We recognize the importance of increasing our cultural understanding of and respect for the process of aging and all that it entails, and we recognize that the ideal environment for taking care of the problems of the aged is the closest attainable to the home environment. To the greatest possible extent, these principles should be applied in meeting the problems of the senile through the development of educational, religious, public welfare, public health, voluntary, and other related services. Beyond this, we recognize that local and individual circumstances may make adequate home care impractical and that the need for developing adequate institutional facilities is acute, both to meet the needs of the senile themselves and to relieve the present burden which these patients place upon the facilities of the mental hospitals and the general hospitals in the State.

(Committee Chairman: E. S. Rogers, M.D.)

2. We resolve that:

a It is clearly recognized that private family resources and the facilities of private institutions which meet publicly established minimum standards should be utilized to the maximum in the care of senile patients.

b. It is also clearly recognized that additional and more appropriate public facilities are needed to care adequately for these patients.

c. These public facilities should be constructed and operated by the counties and the State under state-established standards.

d. The cost of constructing and operating these public facilities must be shared by the State and the counties on an equitable basis.

(Committee Chairman: Right Reverend Monsignor Thomas J. O'Dwyer.)

3. Since the elderly person presents special treatment problems in a general hospital, we recommend that:

a. All general hospitals in sizable communities establish geriatric units in order that special attention may be given to the treatment of acute illness in elderly patients

b. For the construction of such geriatric units, general hospitals should use federal funds now available on a matching basis.

c. Each county of sufficient size should establish an infirmary unit for the care of the chronically ill, located within easy travel distance by ambulance from a general hospital.

d. State funds should be made available to supplement the cost of the care of acute and chronic patients in the geriatric and infirmary units of general hospitals.

(Committee Chairman: A. E. Bennett, M.D.)

4. This conference strongly urges the State Legislature to enact all necessary legislation to enable the State of California to take full advantage of recently enacted federal legislation (H. R 6000) in the provision of adequate aid and care for senile persons.

(Committee Chairman: Dr. Milton Chernin.)

NATHAN SLOATE
Conference Secretary

September 20, 1950.

CHRONIC DISEASES

Magnitude of the Chronic Disease Problem [1]

Chronic diseases accounted for the deaths of 66,518 persons in California during 1947—more than two-thirds of the total number of persons who died in the State that year. Forty percent (26,108) of the chronic disease deaths occurred among persons under 65 years of age. Cardiovascular diseases and cancer were the leading causes of death.

The number of persons who die each year from the chronic diseases is only a fraction of the total number of persons who suffer from chronic illness. The best available data suggest that in 1947 California had approximately 104,000 persons disabled the entire year by chronic illness and approximately 351,000 disabled for periods ranging from one week to one year. Over two-thirds of these 455,000 persons were less than 65 years of age.

The estimated number of diagnosed cases of cancer during 1947 in California was 50,000; the number of diagnosed cardiovascular cases was several times as large. During the first year of operation (1947) the California disability insurance state plan, covering less than one-third of the State's population, paid disability benefits amounting to more than $7,000,000 for a total of 380,000 weeks of illness due to certain of the chronic diseases. This expenditure, partial compensation for wage loss, did not include the cost of medical care, hospitalization and allied services required for most extended periods of chronic disability.

The cases included in the above estimates are, of course, those which have been diagnosed. Accurate estimates cannot be made of the number

[1] Taken from the Report of the California Chronic Disease Investigation

of undiagnosed cases. There are indications, however, that without being aware of it, as many as 100,000 Californians have heart disease and 70,000 have diabetes.

There are relatively few families not affected by a chronic disease at some time. There is hardly any area in the State that is unaware of the effects of these diseases on the welfare load and on the demands for medical, hospital, nursing and related services.

A significant proportion of disability from chronic diseases might be prevented with present medical knowledge. For example, it is estimated that 30 percent of the patients that now die of cancer could have been cured [2] had they received prompt and adequate treatment when the lesion first was discoverable.

SENATE BILL No. 1424

Introduced by Senator Hugh M. Burns

January 29, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND SAFETY

An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

The people of the State of California do enact as follows:

SECTION 1. Article 9, comprising Sections 425 to 425.5, inclusive, is added to Chapter 2, Part 1, Division 1, of the Health and Safety Code, to read:

Article 9. Cancer and Other Chronic Diseases

425. The term "cancer and other chronic diseases" as used in this article refers to all chronic diseases except tuberculosis and mental diseases.

425.1. The Governor shall appoint an Advisory Chronic Disease Council to advise and consult with the State Department of Public Health in carrying out the chronic disease program provided for in this article. The council shall consist of the State Director of Public Health who shall serve as chairman ex officio and ten (10) members appointed by the Governor from a list of nominees selected jointly by the State Director of Public Health, the Chairman of the Senate Standing Committee on Public Health and Safety, the Chairman of the Assembly Standing Committee on Public Health, and the President of the California Medical Association. The ten (10) appointed members shall include representatives of professional groups concerned with chronic diseases and representatives of the general public. Of the members first

[2] That is, these persons would have survived at least five years without evidence of the disease

appointed, five shall be designated by the Governor to hold office until October 1, 1950, and five shall be designated by the Governor to hold office until October 1, 1951. Members other than the members first appointed shall hold office for terms of two (2) years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Council members while serving on business of the council, shall receive no compensation, but shall be entitled to receive actual and necessary travel and subsistence expenses. The council shall meet as frequently as the director deems necessary, but not less than once a year. Upon request by five (5) or more members, the director shall call a meeting of the council.

425.2 The department shall conduct a program directed toward the reduction of deaths and disability from cancer and other chronic diseases. In carrying out this program the department shall:

(a) Collect, analyze and make available statistical information on cancer and other chronic disease morbidity and mortality.

(b) Develop methods and sources for obtaining current data on chronic illness without resorting to universal, regular reporting of individual cases of all chronic diseases.

(c) Expand the tumor registry on a voluntary basis to include all hospitals, clinics, and where practicable, private physicians.

(d) Assist and participate in programs of advanced professional education and training in the field of the chronic diseases.

(e) Encourage local communities to make available adequate facilities and services for the chronically ill; and advise and assist local health agencies in the development of locally administered programs for the prevention and control of cancer and other chronic diseases.

(f) Cooperate with research institutions and professional societies in a survey of research institutions in the State to determine what additional physical facilities are needed for conducting expanded research on the chronic diseases.

(g) Cooperate with all official agencies and all voluntary societies and organizations concerned with the chronic disease, in the development, improvement, and coordination of necessary services and facilities for an effective disease program.

425.3. The department may accept financial or other assistance made available to it by any private, state, federal, or other source, to further the provisions of this article.

425.4. This article does not authorize any form of medical or physical examination, treatment, or control of any person.

425.5. In carrying out the purposes of this article, the department shall submit to the Governor and the Legislature, at each regular session of the Legislature, a full report on chronic disease prevalence, control, prevention, facilities, and care in the State.

SENATE BILL No. 1425

Introduced by Senator Hugh M. Burns

January 29, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND SAFETY

An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

The people of the State of California do enact as follows:

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of one hundred thousand dollars ($100,000) to the State Department of Public Health to be expended during the 1949-50 Fiscal Year for the chronic disease program of the State Department of Public Health.

CALIFORNIA LEGISLATURE—1949 REGULAR SESSION

ASSEMBLY BILL No. 1499

Introduced by Messrs. Thompson, Connolly, Mrs. Niehouse, Messrs. Huyck, Geddes, and Rumford

January 25, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH

An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

The people of the State of California do enact as follows:

SECTION 1. Article 9, comprising Sections 430 to 435 inclusive, is added to Chapter 2, Part 1, Division 1, of the Health and Safety Code, to read as follows:

Article 9. Cancer and Other Chronic Diseases

430. The term "cancer and other chronic diseases" as used in this article refers to all chronic diseases except tuberculosis and mental diseases.

431. The Governor shall appoint an Advisory Chronic Disease Council to advise and consult with the State Department of Public Health in carrying out the chronic disease program provided for in this article. The council shall consist of the State Director of Public Health who shall

serve as chairman ex officio and ten (10) members appointed by the Governor from a list of nominees selected jointly by the State Director of Public Health, the Chairman of the Senate Standing Committee on Public Health and Safety, the Chairman of the Assembly Standing Committee on Public Health, and the President of the California Medical Association. The ten (10) appointed members shall include representatives of professional groups concerned with chronic diseases and representatives of the general public. Of the members first appointed, five shall be designated by the Governor to hold office until October 1, 1950, and five shall be designated by the Governor to hold office until October 1, 1951. Members other than the members first appointed shall hold office for terms of two (2) years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Council members while serving on business of the council, shall receive no compensation, but shall be entitled to receive actual and necessary travel and subsistence expenses. The council shall meet as frequently as the director deems necessary, but not less than once a year. Upon request by five (5) or more members, the director shall call a meeting of the council.

432. The department shall conduct a program directed toward the reduction of deaths and disability from cancer and other chronic diseases. In carrying out this program the department shall:

(a) Collect, analyze and make available statistical information on cancer and other chronic disease morbidity and mortality.

(b) Develop methods and sources for obtaining current data on chronic illness without resorting to universal, regular reporting of individual cases of all chronic diseases.

(c) Expand the tumor registry on a voluntary basis to include all hospitals, clinics, and where practicable, private physicians.

(d) Assist and participate in programs of advanced professional education and training in the field of the chronic diseases.

(e) Encourage local communities to make available adequate facilities and services for the chronically ill; and advise and assist local health agencies in the development of locally administered programs for the prevention and control of cancer and other chronic diseases.

(f) Cooperate with research institutions and professional societies in a survey of research institutions in the State to determine what additional physical facilities are needed for conducting expanded research on the chronic diseases.

(g) Cooperate with all official agencies and all voluntary societies and organizations concerned with the chronic diseases, in the development, improvement, and coordination of necessary services and facilities for an effective chronic disease program.

433 The department may accept financial or other assistance made available to it by any private, state, federal, or other source, to further the provisions of this article.

434. This article does not authorize any form of medical or physical examination, treatment, or control of any person.

435. In carrying out the purposes of this article, the department shall submit to the Governor and the Legislature, at each regular session of the Legislature, a full report on chronic disease prevalence, control, prevention, facilities, and care in the State.

CALIFORNIA LEGISLATURE—1949 REGULAR SESSION

ASSEMBLY BILL **No. 1500**

Introduced by Messrs. Thompson, Connolly, Mrs. Niehouse, Messrs. Huyck, Geddes, and Rumford

January 25, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH

An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

The people of the State of California do enact as follows:

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of _____ dollars ($_____) to the State Department of Public Health to be expended during the 1949-50 Fiscal Year for the chronic disease program of the State Department of Public Health.

LOS ANGELES MEETING, OCTOBER 12TH, 1950

At the committee's meeting held in Los Angeles on October 12th, 1950, there were discussed many phases of the problems regarding chronic diseases. Senate Bill Nos. 1424 and 1425 together with their companion bills, Assembly Bill Nos. 1499 and 1500 had been introduced in the 1949 Session and were referred to the Interim Committee on Public Health for further study, and the following portion of the report relates to these specific bills.

The first speaker to be heard was Dr. Wilton L. Halverson, Director of the State Department of Public Health. Dr. Halverson explained that Senate Bill Nos. 1424 and 1425 and Assembly Bill Nos. 1499 and 1500 were bills based on recommendations made in the 1949 Report of the California Chronic Disease Investigation, said report having been compiled and printed in accordance with House Resolution No. 58 (1949), by Assemblyman John F. Thompson, Chairman of the Assembly Committee on Public Health.

Dr. Halverson went on to explain that in 1947 the California Disability Insurance State Plan paid disability benefits amounting to more than $7,000,000 for a total of 380,000 weeks of illness due to certain of

the chronic diseases. This expenditure—which is only partial compensation for wage loss—does not include the cost of medical care, hospitalization, and allied services required for most extended periods of disability.

Dr. Halverson continued:

"If public health means the health of the people, we in the State Department of Public Health cannot ignore the diseases among our people which are the chief causes of death, serious illness, and disability.

"Since 1946, under its general statutory authority in the field of public health, the department has been carrying on a limited program of chronic disease investigation, particularly in the field of cancer. For this work, federal cancer control funds, and more recently, federal heart disease control funds have been exclusively used.

"Senate Bill 1424 would provide a program as recommended in the California Chronic Disease Investigation. To finance the chronic disease control activities proposed in S. B. 1424, the department estimates that an annual appropriation of $100,000 would be needed. A start could be made with a smaller amount.

"It is, of course, pertinent to inquire as to what the department would do about the chronic diseases if the proposed legislation is enacted. Our general answer is that the department would, under the direction of the advisory committee, provided in Sec. 425.1, carry out the functions listed in S. B. 1424 as recommended in the California Chronic Disease Investigation.

"First, as noted under Sec. 425.2—a, b, c, the department would gather, compile and make available current information on cancer and other chronic diseases in the State. For example, the department in cooperation with the Cancer Commission of the California Medical Association and with the Association of California Hosptals, is now gathering detailed information on cancer cases from a limited number of hospitals in the State. In this way, current information is being provided on the survival of cancer patients under present methods of diagnosis and treatment. Physicians are greatly interested in data on the survival of cancer patients with specific reference to the effectiveness of different methods of treatment. Current information on other phases of cancer control and on heart disease and the other chronic diseases is needed and could be obtained if the proposed legislation is enacted.

"Secondly, Section 425.2-d, the department would assist and participate in programs of advanced professional education and training in the field of the chronic diseases. To a significant extent progress against the epidemic and other acute communicable diseases has been associated with the development of advanced professional education and training in the prevention, diagnosis, and treatment of such diseases. Similarly, we need to promote and stimulate comparable advanced professional education and training in the newer methods of prevention, diagnosis, and treatment of the chronic diseases. For example, a method has been discovered for the early detection of cancer of certain organs of the body. This method—known as the "cytological technique"—is especially effective in the early detection of the uterus and of the lung, which together make up about 20 percent of all cancer cases. In cooperation with the University of California Medical School, the department has

made available a four months' training course in this new technique for laboratory technicians. Incidentally, there are approximately 15,000 cancer deaths in California each year. It has been estimated that 30 percent of the persons who now die of cancer could be saved if the disease were detected early, and if prompt and adequate treatment were received.

"Thirdly, subsection e, the department would—as it has done in other fields—encourage local communities to make available adequate facilities and services for the chronically ill. It would advise and assist local health agencies in the development of locally administered programs for the prevention and control of cancer and other chronic diseases. To illustrate this function, the department has been working with local health departments, local heart associations, and local medical societies in demonstrating new and relatively inexpensive methods for the early detection of such significant diseases as cancer, heart disease, and diabetes.

"This function—of encouraging, advising, and assisting in the development and maintenance of *locally administered* services and programs—is consistent with the basic policy of the department, the policy of promoting and giving full recognition to local autonomy in the administration and control of local public health services.

"Finally (subsection g), if the proposed legislation were enacted, the department could intensify its cooperative activities with all official agencies and all voluntary societies and organizations working for the development and improvement of necessary services and facilities for an effective chronic disease program for California. Here again the department is on familiar ground. For many years the department has worked closely with all public and private agencies in the State for the control of the epidemic and other acute communicable diseases. Such cooperative work pays large dividends in ensuring an efficient teamwork approach and in avoiding duplication of activities. A cooperative attack on the chronic diseases—with private and public agencies on the same team—offers real promise of success in reducing deaths and disability due to these causes.

"A fundamental feature of the proposed legislation merits special emphasis. S. B. 1424 is aimed at the *prevention* of the chronic diseases and the *prevention* of disability and premature death caused by these diseases. If we apply our present medical and public health knowledge and techniques to the control of the chronic diseases, a significant proportion of disability and premature deaths could be prevented.

"As our population increases and becomes progressively older, we can expect to have an increasing number and proportion of chronically ill persons. Directly and indirectly, our State has already accepted many costly responsibilities relating to the chronically ill in connection with welfare expenditures, medical care and rehabilitation expenditures, and expenditures for the construction of hospital facilities. As time goes on, it is likely that the effects of these diseases will result in increasing demands upon the State Treasury, and of course, increasing costs to the taxpayers.

"Thus, the State of California has a very real and substantial interest in *prevention* of these conditions and the disability which they cause.

"Briefly, chronic disease concerns the heart and the circulatory system, cancer, diabetes, arthritis, rheumatism, etc. Principally we talk about cancer because most of our work has been done in that field. I would like to say that two-thirds of all the deaths we record are deaths from chronic disease and 40 percent are under the age of 65. They are a major factor in serious illness and disability in the state and county hospitals; and our clinics, institutions and rest homes are filled with patients with chronic diseases. The welfare and medical loads which result from these diseases are really tremendous. As I have said, our principal work has been carried out in the field of cancer control. Since 1946 with federal funds and under our general statutory authority, we have carried on a limited program of chronic disease investigation, particularly in the field of cancer, and approximately $184,000 of federal funds have been used, principally in voluntary tumor registrations in some of the hospitals of the State.

"The reason for this is that we wish to secure information as to what happens to people with cancer under all different kinds of treatment. This kind of research is of course of great interest to the doctors also. The technique for the diagnosis of cancer is very complicated and requires considerable training. If our bill was passed, we could use some of the funds alloted us to send technicians to the University of California from our county laboratories and other places where technicians are used. This should be augmented, and I am sure that with the development of this technique and other techniques it will be possible to diagnose cancer and other diseases earlier in the game. About 30 percent of the people who now die of cancer could be saved if given proper treatment early enough.

"The death rate from tuberculosis has been cut in half during the last eight years. In 1942 the death rate in California was 50 and this year it will be about 25. That is an example of what can be done if the private physician, the voluntary agencies, local communities, and state organizations, such as the Department of Public Health, get together to get a job done.

"The fundamental feature of our program in chronic disease is prevention. You can't prevent all chronic diseases, but you can prevent some; and you can prevent a great deal of disability from chronic disease if you just apply yourself to it and apply the present knowledge which is resulting from our research.

"In conclusion, I would like to say that with our increasing population, this load of chronic disease is becoming more and more unbearable and insupportable. We are doing as much as we can in the field of prevention now but with help in the way of appropriation and facilities there can be a real and substantial saving in the number of deaths and cases of disability resulting from these diseases."

Assemblyman Connolly: Dr. Halverson, on this program, did I understand you to say you have it broken down * * *?

Dr Halverson: Yes, we have a breakdown here but there would probably have to be some changes in it. I would just like to say that this $100,000 is an arbitrary figure. We feel that is just about what it would take to activate the program in a reasonably short time. It could be less or more, but this is the breakdown which we had when we talked about it. And, as I say, it is subject to some change.

Proposed Budget for 1949-50—Chronic Disease Service
California Department of Public Health

Chief of service	$7,728	
Senior administrative analyst	5,772	
Chronic disease nursing consultant	3,540	
Medical social worker, grade 3	4,092	
Associate statistician	4,512	
Senior public health analyst	3,720	
Junior public health analyst	2,772	
Senior stenographer-clerk	2,640	
Intermediate clerk-typist	2,280	
3 intermediate clerks	6,840	$43,896
Retirement charges	$4,000	$4,000
OPERATING EXPENSES		
Pro rata (personnel and fiscal)	$1,000	
Office	500	
Printing	500	
Travel	5,000	
Telephone	300	
Postage	250	
Postgraduate education program	20,000	
Collection of chronic disease morbidity reports and follow-up	25,000	$52,550
Equipment	$1,000	$1,000
		$101,446
Salary savings		$1,446

Assemblyman Connolly: Now, just for the purpose of the record, this proposed budget which was set up for 1949-50, this includes $43,000 plus for personnel, $52,000 plus for operating expenses, $4,000 for retirement charges, $1,000 for equipment; making up an approximate total of $100,000. This is presumably close to what it would be for next year?

Dr. Halverson: Yes, that is right; if we decide we want to go that fast, that is just about what it will take

Assemblyman Connolly These federal funds—$184,000—that has been given to the department over the past several years?

Dr Halverson: Yes, but not in that same figure. In addition there was $85,000 from the Heart Foundation used. Most of the money was made available to local agencies, and used in Los Angeles and San Diego, mostly for diagnostic work and surveys.

Assemblyman Connolly: Is that $184,000 an annual figure?

Dr. Halverson: That is the approximate amount received the past year and we expect the same amount this year.

Assemblyman Connolly: Then, in addition to that there was the $85,000 from the Heart Disease Fund. Is that on a matching basis?

Dr. Halverson: Not a strictly matching basis, no.

Assemblyman Connolly: In other words, that is appropriated directly to the state department for these investigations?

Dr Halverson: Yes, and reallocated to the communities. A large block of the cancer fund is being used in tumor registries in the larger hospitals, at the present time, to get information on what happens to cancer cases under various treatments.

Assemblyman Connolly: Is it safe to assume that these federal funds will continue?

Dr. Halverson: For this coming year they will be as they are now, but from then on, I don't know.

Assemblyman Connolly: That was allocated out to the local communities in a large part?

Dr. Halverson: Yes, plus, in addition to that, the small staff we have at the present time—its salaries are paid from that fund.

Assemblyman Connolly: Were many of those people included in your budget for last year?

Dr. Halverson: They are not included here except for the fact that we feel that the chief of the service should be on the state pay roll.

Assemblyman Thompson: Has this been brought before the Ways and Means Committee?

Dr. Halverson: We did not appear before them and it was not considered by them. However, it was approved by the Senate Finance Committee.

Assemblyman Connolly: On our side it was held in our committee so it didn't get to Ways and Means.

Assemblyman Thompson: On this $100,000—wasn't it $120,000 last year?

Dr. Halverson: No, it was $100,000.

Assemblyman Thompson: Then the $184,000 does not take care of what you have listed here?

Dr. Halverson: No, we have felt that these features which were decided upon by the advisory committee and by the department should not consume these federal funds allocated for purposes I have mentioned —tumor registry, local surveys, etc.

Assemblyman Connolly: Well the only thought I have, doctor, and perhaps I am only suggesting things to you for your consideration—what amount of this staff might be continued on out of federal funds, thus decreasing the appropriation necessary for the State to dig up; in other words, is it possible to work that out? You have a limited staff now under federal funds. If it would be possible to carry them on, it would be a saving to the State.

Dr. Halverson: It would be possible excepting then the program would have to be curtailed by that amount.

Assemblyman Connolly: In other words, your staff under the federal funds is busy full time now.

Dr. Halverson: That is right.

Assemblyman Rumford: What type of program would you set up for the prevention of heart disease? What type of program would you attempt to administer it?

Dr. Halverson: That is a rather complicated subject and I think an expert should answer it, although I may say that there is one thing * * * in the mass surveys which we have attempted, we have found that when you X-ray a person, principally for detecting tuberculosis, of course, an X-ray of the chest will often at the same time show some cardiac condition not found before. These patients can be placed under care earlier if there is some way of doing it. The main purpose of the X-rays of course is to detect tuberculosis and the money is provided for that purpose. But that is one way in which some results could be obtained in the field of heart disease. I think we have some witnesses here who might answer it more fully. The answers are not as simple in these chronic diseases as they are in communicable diseases, about which

we know more at the present time. But we must start somewhere. We must use the information we have at the present time much better than we are now using it.

Assemblyman Connolly then asked what, if any, overlapping there is between such a program as this and the various voluntary organizations doing work in this field, and to which people are asked to contribute funds.

Dr. Halverson: I do not think that there will be any overlapping at all. One example is the cancer program. We do not overlap. We work on the program together so there is no overlapping. Section G says we will work with voluntary organizations—both official and voluntary, so there will not be duplication and overlapping.

Assemblyman Connolly: Can you give me a quick answer as to voluntary organizations—as to what they actually do with those funds? How do they disburse them?

Dr. Halverson: Yes, but there are some other folks here who can give you a better answer. In the field of education, their funds are limited. These funds are not used to any great extent for treatment but principally for the type of thing we call "health education", and for early diagnostic procedures. This work is carried on in the county hospitals through the Cancer Commission and the work of the association.

Assemblyman Connolly: That is the immediate problem that occurs to me. The American Cancer Society is working in the preventive field and you propose to do the same thing. If you both work in the preventive field, can you utilize funds without overlapping?

Dr. Halverson: That is an important question. I think that can be answered from both standpoints in a strong affirmative.

The next witness called on was Lewis W. Guiss, M.D., who testified in the role of a private physician and surgeon interested in the problem of cancer, its treatment and diagnosis. His testimony was as follows:

"The first major project I am interested in is the tumor registry at the county hospital. Its work has been possible through funds designated in part by the American Cancer Society and in part by the State Department of Health, and through these funds we have been able to set up a tumor registry through the county hospital where all cases of cancer or suspected cancer cases are registered. And by this registry we are able to know exactly what the cancer load in the hospital is, what the results are from the various forms of treatment. It gives us a great deal of information in regard to what the treatment is and, in addition to that, it helps us a great deal in maintaining the patients in treatment. At any time the patient fails to show up for treatment on schedule we know immediately through our follow-up system that he has failed his visits, and we investigate to see why. Through this method we have been able to improve our care a great deal. We are reaching about 1,500 cases annually and it is consistent. Through our follow-up endeavors we have a running record of what is being accomplished. This work would have been impossible for us to organize and carry out had we not had the interest of the State Department of Health.

"The other project I am interested in is the mass patient X-ray survey. When this program was begun it was obvious that a number of chest tumor suspects would be uncovered, and it would give us definite

information as to what the residence of lung cancer might be in the general population. There was a great deal of discussion early in the program as to just who should deal with this program Everyone agreed that a registry should be set up, but no one was quite sure who should do it. The American Cancer Society did not feel it was one of their duties. Accordingly, the problem was turned over to the Cancer Committee of the Los Angeles Association, and after a meeting it was decided this was a proper function of theirs. Accordingly then we set up a plan of registering all suspects and following them to see what happened to them. Again in this case the entire cost of the project was supplied by the State Department of Health, primarily because no local funds were available and it was considered a worthy cause. The data is still incomplete because the survey is still going on. However, we have a total of about 1,200 chest tumor suspects that have been uncovered through this program. We have them registered and we are following them to see just what is going to happen to them. Over half of these patients have been referred back to their private physicians for care. We do not enter into the treatment field at all, but we are trying to encourage the patient to seek the treatment he needs. Of the proven cases that we have in the registry the surgeons were able to operate and remove the lungs of 65 percent of these patients, and almost without exception, these were patients who did not know they had anything wrong with them at all and they were cured during an early stage of the disease."

Rumford: In regard to your mass X-ray surveys—is there any cooperation between the American T. B. Association and the effort?

Guiss: I can't tell you exactly. All I know is that the chest tumor survey has been made possible by state help.

Rumford: I was wondering if there had been any referrals from the association.

Guiss: We work together on it. They investigate it and refer it to us if they feel there is a possibility of a chest tumor there.

Connolly: You are familiar with this expanded program of the state department that we are considering today?

Guiss: Yes.

Connolly: What do you think about the proposal?

Guiss: It seems to me to be very worthwhile. Apparently an advisory committee will be appointed to act in an advisory capacity and will have a great deal of say along the lines that it will be directed.

Connolly: As I understand, the program at the moment provides mostly for this cooperation and advice, etc. The present program did not make any more funds available for local use because the funds are somewhat limited in nature and would be used up at the state level. Does that sound logical to you, or do you think more funds should be made available for the local people?

Guiss: I am not sure just how the money would best be allocated. I am not in a position to say that. I feel that the extension of the tumor registry is important. I know that the general standard of care of cancer cases in institutions that are able to maintain it is higher by the fact that a registry is there. How many hospitals and institutions will be able to

organize them I don't know, but I think almost all tumor registeries and clinics do have to have some outside support.

Connolly: There may be some provided in here.

Guiss: The proposal is to expand them, but I don't know whether the present budget calls for any financial assistance. That would be a problem as to whether or not the local people could set up a registry without outside help.

Dr. Halverson: I think the budget shows about a fourth of the money for that.

Connolly: There would be $2,500 at least available to the local communities for these expanded registeries.

Dr. Edward M. Butt, Chairman Executive Committee, American Cancer Society (California Division), Professor of Pathology, University of Southern California Medical School, was the next to appear before the committee, and he testified as follows:

"We have the clinical tumor registry to which the State has given funds, along with the Cancer Society, to support it. We also have a tissue registry for tissue which we collect from all over the State. The money is supplied principally by the American Cancer Society. We also have surveys of blood, urine and excretions of the body which we test for tumor cells. This is more or less a new development in which the state department has been interested; in fact, they have given most of the money to train technicians in the county hospitals. We think it is a very fine division. This has given us an opportunity to check up on a great many cases of carcinoma. (Papanicalaou department.)"

Chairman Thompson: Would you tell us where funds for the chronic disease program would help your hospital?

Dr. Butt: Certainly. from the development of this department it was very essential. We had no other way of getting money for this training. Certainly I feel the help we have been given for clinical registry—well, we would have been unable to work without state funds to take care of it.

Chairman Thompson: The money which you have received—does that come from the state or federal appropriations?

Dr. Butt· I think it is from the federal appropriation but administered through the state division.

Following is the testimony of Leroy R. Bruce, Member of the Board of Trustees and Past President of the Association of California Hospitals, and Director of the Los Angeles County General Hospital:

"I am principally interested in this program because of its aspects with relation to the administration of hospitals. I believe it is a well known fact in California that we are very short of hospital beds. That is especially true here in Los Angeles County, probably more so than in any other area of the State We find that most hospitals, and particularly public institutions, are pretty badly jammed with chronically ill people. The occupancy of an acute hospital bed in the institutions, such as I administer, which is a hospital designed by the taxpayers for the care of acute medical and surgical cases, when those acute beds are occupied by the chronically ill person it deprives the acutely ill person of his proper care. Well, let's put it this way: The average daily stay of an acutely ill patient is approximately 13 days A chronically ill person

occupies it anywhere from three months to a full year, and even longer. That bed is then denied to a critically ill person.

"There is a National Council on Chronic Illness which is a voluntary organization, set up because of the recognized fact that chronic illness is a situation which needs attention, not only on the local, but on the national level. However, this organization is primarily engaged in educational and research types of inquiries, and nothing in the way of prevention, treatment, or prevention facilities. There is a great need for a program, I believe, which is coordinated to the extent that all of the hospitals and all of the people in the professions can have the benefit of the information gathered at the local level. You can't do that unless you have one agency to correlate the information and make it available to the other institutions and agencies throughout the State and Nation; and I believe, as the administrator of the hospital, that it would not have been possible for us to have carried on this work in tumor registry which has been mentioned here before today. You might be interested in knowing that when this tumor registry was set up with money provided by the State Department of Public Health, the Cancer Society and the U. S. Public Health Service, we went back and reviewed the cases of 10 years standing, and there was a follow-up on every single cancer case which had gone through our hospital within a 10 years' period, to determine what had happened to the individual case, whether or not treatment or surgery had been successful, or whether patient had died; and if living, what was his present condition, etc. It is interesting to comment that the result of our follow-up was a 98 percent reply. We even found that some of the patients had been operated on for cancer in foreign countries, in Denmark, Sweden, I believe there was one in Peru, and one in Alaska So, it gives to the professional person that information. Then they can go back and study the records of the case to find out the results of different treatments, and eventually set up a pattern. It would also have been impossible to conduct our program which provides microscopic slides of tumor tissue of various kinds to laboratories all over the State and other states. Some are unusual cases and rare types of cancer and the benefit of this knowledge is tremendous to all organizations working with cancer. Where we now have 82,000 patients a year, we will have probably twice that many going through the outpatient every year who need a clinic of that type. The benefit of all this clinical, medical and chronic disease information would have been entirely lost to the public and to the individual had not this follow-up been made. We have received, in addition to the support for these registries, additional money from the Cancer Society for assistance in converting a building into a cancer research laboratory where we will follow up in medical research and other activities, the information which is being developed and brought to the forefront by the tumor and tissue registries. Out of a daily occupancy of 3,300 beds, 471 are occupied by the chronically ill, outside of those with tuberculosis and outside of those who have senile psychosis. They are occupying beds designed for the cure of acutely ill medical and surgical patients."

Assemblyman Connolly: I have a question—the only one which occurs to me right now, Mr. Bruce, is the question of your problems from the hospital standpoint in connection with the continuing use of beds by

chronically ill patients and depriving the critically ill of those beds. A program like this, if carried out, would probably bring in more, rather than less, of the chronically ill.

Mr. Bruce: It might immediately, but I think on the long term plan of a preventive program, we see what has been done in tuberculosis and venereal diseases, and many other fields of medicine, which has cut down the incidence of such disease. If we could determine not only what causes cancer, but what causes multiple sclerosis, cardio vascular diseases, diabetes, and other things, and set up a preventive program, we will have less of a demand of this type of patient upon the facilities of the State. I am not speaking solely of the Los Angeles hospitals, but as past president of the Association of California Hospitals, which position I held for two years, I know pretty much what the problem is throughout the State. Our hospital is typical of most county hospitals and also in the voluntary hospitals, that chronic patients are their great problem. Any patient who has to occupy a hospital bed for more than three months is considered to be a chronic patient.

Assemblyman Rumford: Doesn't this program pretty much cover the whole field of medicine? It seems to be quite extensive for the amount of money you are going to have to work with.

Mr. Bruce: I think this will only be a start. After all, many states have already set up a program for the study of the chronically ill and the conditions that jam up the professions and the institutions with this type of case; and certainly, ultimately, out of these combined surveys will come some answer.

Assemblyman Rumford: Do you have any prevalence of sickle cell disease in your institution?

Mr. Bruce: I would have to ask some of the medical men. I know that we do have that type of disease because it becomes my responsibility to approve very extensive medication necessary in those cases. Anything out of the ordinary, or which is going to cost more than a normal amount of money on any individual case, comes to my attention because it is my responsibility as the administrator having the responsibility for the budget, to approve it. I do know they are there and they come to my attention in that way, but there are other members of our staff here—Dr. Butt is here—I think he can tell you. They are isolated cases, I think.

Dr. Butt: We have a great many patients with sickle cell disease and it has been the subject of study by our pathologists. It is one of the chronic diseases we are very much interested in.

Following is the testimony of L. A. Alesen, M. D.:

"The California Medical Association is interested in supporting any legislation that will make available to any citizen the best possible grade of medical care at a price that citizen can afford to pay. I do not believe I need to substantiate that statement, because we were the pioneers in developing in California the California Physicians Service which, as you know, has grown by leaps and bounds.

"I ask your permission to digress in bringing a bit of background. Let's talk about the equilibrity of the species and I will show you why I am so interested in it. Let's go way out into the Pacific. At any given time upon the islands there will be found a certain number of species of plants and animals representative of an organization of life on that island. From

time to time, depending on climatical changes found, those numbers and kinds will vary. But here is the most important factor. Nature tends to limit the number and kind of animal and plant species, and that equilibrium of the species represents the greatest possible number of plants and animals that that particular geographic location can support at any given time. That represents the most effective use of it. Nature has been working on this for many years. We have taken on pants and dresses, etc., so that the thin veneer doesn't amount to too much economically. Today we have about 150,000,000 people offering their goods and services for exchange in what we used to call the free market. The result of getting the most effective use of the goods and services offered is what is known as the equilibrium for any good service or commodity, and that price is the price that most citizens are willing to meet. As a result of the free market in this country, we have the greatest civilization this country has ever known. Other countries have far greater natural resources than we have. The only reason America is so highly superior is because until recently we have interfered with the natural intent of nature to a minimum degree.

"This has a very direct bearing on our medical care. The American people today are the healthiest people in the world, bar none, when comparable populations are considered, and I would like to impress that. To be sure, there are two or three other nations in the world where the death rates are said to be lower than is to be found in America. For example, Australia and New Zealand statistics are quoted. We are always hearing about Sweden and Denmark. Swedes live longer in Minnesota than in Sweden.

"The California Medical Association has instructed me to say to you that we are interested in supporting any measure to help the health of the American people. We don't always see eye to eye with Dr. Halverson but we usually arrive at some satisfactory conclusion. We can see no objection to the appointment of an advisory committee as is set forth in Article 9, Section 30. In the psychology of most of Section 432 particularly we see no objections, if satisfactory safeguards are provided. I was amazed to hear Dr. Halverson say today that he was talking about the treatment of diseases so much. They have told us time and again they did not wish to engage in any treatment at all You will recall that the statement was made in Section 29. Now as far as we are concerned we do not want to be in the position of saying 'No' to all good legislation. We believe there is a place for legislation of this kind if it can be safeguarded properly. What could this do? It could afford a very excellent means of collecting statistics on chronic diseases. You should all like to know something about the various kinds of treatments and their effectiveness, and I think the public is entitled to know something about that also. If the public health department is willing to stay in that field, well and good.

"There are two questions I would like to bring forth. First, is there no private agency by which the individual could receive the same type of service? I believe that has been answered somewhat in the negative, that there is apparently a lack of facilities, so I think that such a bill has at least some desirable point. Second, what does this proposed legislation do to the individual member of California society? Would it tend to make him more or less dependent on his own resources? If this particular piece

of legislation merely limits its activities to the collection of statistics I think the bill is desirable, because it would not in any manner weaken the individual's reliance on himself.

"The cost doesn't seem to be too great. The figure of $100,000 has been mentioned here. If a program gets started there will emerge other reasons for expanding the program, and when we are trying to curtail expenses, I doubt if the Legislature can see its way clear to increase this too much. Let it be remembered that our medical people are going to be called upon for medical services and it may be that this may be a reason for curtailment. The Los Angeles County General Hospital has 1,000 staff members who give their services freely and conscientiously to their patients. Of course they profit, but in the long run the patients profit more.

"The California Medical Association will support a measure of this kind providing Section 434 remains and provided that the Legislature will not try to enter into the field of medicine by the back door."

Connolly: With regard to this collection of statistics, you agree that there is no agency at the present time which is doing a job in this field, and you agree it should be done. Is that your position?

Alesen: Yes. There is no agency which coordinates all these various kinds of services, but apparently such an agency could collect and correlate those data, and second, it might further serve the purpose of making available to the public the various types of treatments which are available.

Connolly: As I read the specific provisions, they seem down the line to refer to statistical information and obtaining current data, expanding the tumor registry and encouraging the local communities to make these facilities available and advise and assist them. So it apparently is set up here as statistical and educational and advisory, and so far as you people are concerned if that were the situation and if any additional safeguards were necessary, it would be limited to those you people would be in favor of.

Alesen: That is right. It was our feeling about a year ago.

Dr. Lester Breslow, Chief, Chronic Disease Service, State Department of Public Health, made the following statement:

"With heart disease, as with other diseases, the important thing is to find the persons early enough so that with proper care they may become well sooner and perhaps back on a job sooner than if they did not receive care until the later stages of the disease. Our problem is how to find them early enough. One of the techniques is the mass chest X-ray which has been used to detect tuberculosis. These mass chest X-rays are uncovering many previously unknown cases of heart disease—perhaps more cases of heart disease than tuberculosis; but of course it so happens that the surveys have been organized through tuberculosis resources and it is only proper that the funds be devoted primarily to that purpose. With what little heart funds we have been able to use, we have made the maximum use of these surveys.

"Secondly, we are in cooperation with one of the city health departments—Los Angeles carried out a survey, using civil service population, to detect heart disease early, using electro cardiograph, etc. Those should be followed up.

Thirdly, we know that obesity is correlated with heart disease. The excessively obese die at several times the rate the normal population dies from heart disease. Therefore, we have worked with the nutrition people at Berkeley to develop a program of group approach to people who are obese, with the hope that with a reduction of weight, we can put down hypertensity.

We might mention one more. In one county they have a heart service so that people treated at clinics are followed up. Through occasional visits at the home, they are better able to follow advice and so kept out of the hospitals. That is one of several ways we have in mind.

Assemblyman Rumford: The whole thing is so extensive with several diseases mentioned, for instance arthritis. You could just pile in people who suffer with the disease and you can locate them very easily, but what to do about it is different.

Dr. Breslow: With respect to arthritis, I agree with you that our treatment is very limited. But with cancer, heart disease, tuberculosis—if untreated they go into prolonged cases. If found early, there may be a period—a brief period—of hospitalization and then the patient resumes his normal work. For instance, in Los Angeles we found people with cancer who had been treated early enough and were back at work. If not found early they would have been using the hospital beds for long periods.

Assemblyman Rumford: I can readily see that you could carry on an extensive program with cancer.

Dr. Breslow: There is one statement I would like to make in general. Here in Los Angeles we have illustrated the kinds of things we can and have been doing in chronic disease prevention, and the manner in which we work. Dr. Guiss and Dr. Butt have been vigorous in their statements that this was made possible principally through the State Department of Public Health; but, as a matter of fact, the physicians themselves have been so interested in the program that the time they have put into it far exceeds any money we have put into it. What we want to do with our funds is to help the people in the various communities throughout the State to get started, and they can make contributions in kind. What you have heard today is principally the work we have done here in Los Angeles. Here it is easy to work because they are well organized, but with an expanded program it will be possible to carry this work further into the State. Our applications at the present time are far beyond our facilities and we are at the limit of our federal resources. Other states which have instituted programs of this kind are Massachusetts, Connecticut, New York—there are some others—Illinois, Alabama, and Missouri.

Assemblyman Rumford: As a result of their program, what seems to be the decrease in the prevalence of disease?

Dr. Breslow: In Massachusetts they have carried out a program which demonstrated that the cancer death rate decreases at a more rapid rate than in other parts of the Country. They attribute that to their program.

Assemblyman Rumford: And other diseases—diabetes, arthritis, heart disease—how do they compare?

Dr. Breslow: I do not know of any state except possibly Georgia or Alabama where there is a state program on diabetes. Many communities

have carried on surveys similar to what was done by Santa Clara County some years ago with assistance from our department. Mr. Thompson and the medical society of his county deserve a great deal of credit for a program which has now become a model for other parts of the Country to follow. This has been done in other communities than California—at Oxford, Massachusetts; Richmond, Virginia; Milwaukee, Wisconsin; and Dallas, Texas. They carry on a program for diabetes the same as we do for tuberculosis.

Assemblyman Rumford: I think that is a program where we should concentrate on certain things. If we concentrated on cancer, we might be able to do something; but, if we branch out into all ailments you will have people coming in and saying they have a bad toe, etc.

Dr. Breslow: Well, we in the Department of Health would like to concentrate on no more than three diseases—cancer, heart disease and diabetes Other diseases have been included at the insistence of our advisory committee, which we respect. There is a great feeling on the part of people that we need a broad program, but we would agree to a limited number of diseases.

Assemblyman Connolly: One question with regard to the report: Have you any idea—with all the recommendations in the report of what should be done—have you any possible conception of the size of that program in dollars if undertaken? It would certainly be beyond the $100,000 we are talking about.

Dr. Breslow: As a matter of fact, that referred not only to what the State Health Department should do but what everyone should do. The bill pertains to governmental work and state health work pertains only to specific aspects.

Assemblyman Connolly: From a legislator's aspect, you are talking about a program, and perhaps you could use three-quarters of a million dollars a year What we have to consider and bear in mind is that we would have to go back to these same people and ask them if they still want it done for three-quarters of a million dollars in tax money to do it. That is what it boils down to.

Dr. Breslow: That is why I think Dr. Halversen has wanted to inaugurate the program on a reasonable basis of $100,000. It could be done with a lesser or a greater amount. Our only answer is that $100,000 could be well used in this program. We depend on the use of such funds for local interest, professional interest, etc. We can go no faster than the doctors and the communities want to go. They are pressing us to go further.

Assemblyman Connolly: We, as legislators know, and this is not meant to be derogatory, if this program is instituted and you embark on it and collect statistics and information, you, by the same token, collect demands, so that in the following years there is a public clamor for more and more; and we as legislators, are then called upon and have no defense to it because the demand is there and before you know it it is $500,000 and then on down the line. That is no reason for discouraging it, but that is one of the problems we have when the tax payers come to us about expanding costs of government.

Dr. Breslow: We certainly respect that point of view and recognize it. That is why we made a modest request. I would like to make one comment on your remarks, Mr. Connolly, and that is this—that the Legislature, the counties and the Federal Government are being asked for amounts not in the tens or hundreds of thousands, but in the millions for the construction of facilities and other costs for welfare of patients who could have their health problems prevented. We could assemble quite a list of patients whose diseases (and their physicians would be willing to testify to it) could have been prevented.

Assemblyman Connolly: In other words, you could have rehabilitation which would cut down your welfare cost

Dr. Breslow: That is right. If we put $7,500 of federal funds into mass chest X-rays and find that there are several hundred cases of chest tumors detected which would not have been detected otherwise, I think it could be stated conservatively that somewhere between 25 and persons will be saved by that expenditure of $7,500.

Mr. Bruce: The saving of only life is important. On this mass chest X-ray, they came over to our hospital and 99.44% of our 4,632 employees had their chests X-rayed. We have a supervising nurse who has been in charge of pathology for years who had no idea she had anything wrong and the X-ray showed she had a tumor of the lung. This was in March. She was operated on—she had a lobectomy—it was caught early enough before it spread and she is back on the job, and I think that that one individual justifies the expenditure of $7,500.

In view of the fact that the request for funds for chronic disease investigation is stated to be primarily for the purpose of compiling statistics on the prevalence of certain types of chronic illnesses, and in view of the fact that the Department of Public Health already maintains an active Bureau of Vital Statistics, it would appear that the functions of the requested study might properly be carried on under the present bureau. The $100,000 requested is broken down into approximately $44,000 for the addition of 12 employees and $56,000 for educational, reporting and general services; the proportions here would appear to be overbalanced in the direction of personnel and the program would seem to be amenable to allocation to the Bureau of Vital Statistics with the present, or at most a slightly increased, staff. Such allocation merits investigation, especially as to its financial requirements as compared with the request for $100,000 made in S. B. 1424 of the 1949 Legislature. The organization of the Department of Public Health should permit the absorption of the proposed program within the present framework of the department.

In its activities in the field of chronic diseases, as in all its activities, the functions of the Department of Public Health should be those of preventive medicine and sanitation, not those of diagnosis or treatment. The diagnosis and treatment of disease, chronic or acute, is available to all citizens through either private or public sources and the services of health departments are not needed and should not be extended to clinical medical care except in those instances where other sources of such care are not available. Rabies immunization and similar procedures might come within the exceptions.

In the definition of preventive medicine and sanitation might be listed the collection and analysis of vital statistics; public health education in cooperation with community agencies and professional organizations; public health laboratory services for the control or prevention of communicable diseases; communicable disease control through epidemiological investigation; maternal and child health services through educational means, and environmental sanitation such as inspection of food establishments, water, milk, and meat supplies, air pollution, vector control, supervision of sewage and garbage disposal and similar functions. While these items may not be all-inclusive and while public health functions should not be strictly limited by such a listing, the Department of Public Health should stay within a framework of this type and should not enter into the practice of medicine through diagnosis or treatment of individuals.

The committee, in discussion with Dr. Halverson, Director of the Department of Public Health, and members of his staff, agreed with the doctor and his staff that certain amendments to the Health and Safety Code should be offered at the 1951 Session of the Legislature affecting the local Public Health Law and the Clinical Laboratory Act. These proposed amendments and what effect they will have are as follows:

Local Public Health Law

Chapter 8, Part 2, Division 1 of the Health and Safety Code, relating to state financial aid for local health administration, gives the State Department of Public Health authority to approve "provisionally" those county health departments which do not serve all of the cities within that county of 50,000 population or less. The concept as stated in this legislation was that "the minimum of population necessary for efficient administration of local public health units is approximately 50,000." As a means of giving encouragement to the affiliation of cities of less than 50,000 with county health units, the statute provided that provisional approval to such county units could be given only for the period terminating on the 91st day after the final adjournment of the 1949 Regular Session of the Legislature. In 1949 this was changed to read 91st day after the final adjournment of the 1951 Legislature. While many small cities have affiliated with the county health departments since 1947 when the law was enacted, there are still 10 counties where small cities are not so affiliated. It is now the feeling of the department that such counties should not be disqualified for public health assistance because some cities have not seen fit to affiliate with the county public health organization. At the present time the following counties come under provisional approval because the cities listed are not affiliated with the county health organization:

County	*Cities*
Alameda	Albany
Fresno	Coalinga, Kingsburg, San Joaquin
Los Angeles	Beverly Hills, Vernon
San Bernardino	Ontario
San Mateo	Colma
Santa Barbara	Santa Barbara
Solano	Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville
Stanislaus	Modesto
Santa Clara	Alviso

Therefore legislation will be proposed retaining the concept of provisional approval for such counties but deleting the date at which termination of this provisional approval shall be effective.

Vital Statistics Laws

The statement made in the preliminary report to the Legislature by the Assembly Interim Committee on Public Health, as published in the Assembly Journal of March 28, 1950, clearly outlines the problem of needed revision of vital statistics laws.

> "The vital statistics laws of the State of California, represented by Division 7 and 9 of the Health and Safety Code, are codifications of various independent statutes which have been enacted over a period of the past 40 or more years. In a recent Attorney General's opinion, he stated '* * * the provisions of the Health and Safety Code * * * dealing with vital statistics are confusing and difficult of interpretation.'
>
> "The need for a general revision, condensation and clarification of the vital statistics acts has long been recognized. Such a project would require a section by section analysis of the intent of the legislation, and its revisions into terminology which is easy of interpretation and from which irrelevant material has been deleted."

Careful study has been given to the vital statistics laws with the view toward clarifying and simplifying the statutes. Also certain changes will be proposed which it is believed will improve procedures. The following items have been given consideration and are believed appropriate for legislative consideration.

The appointment of local registrars of births and deaths, as presented in Sections 10100 to 10110 of the Health and Safety Code is very confusing and indefinite. The intent of this legislation appears to be that the health officer shall be the local registrar for births and deaths in those areas where there is an organized public health department, and that in other areas, the state registrar may appoint suitable persons to act as local registrars. In many areas outside of organized public health department jurisdictions the city clerk or the county recorder is the local registrar. It is proposed that these statutes be amended by a simple statement of authority for the local health officer to be the local registrar in organized and approved local health departments, and clarification of the authority of the state registrar to appoint local registrars in all other registration districts.

Duplication exists in the files of birth and death records which must be maintained in local offices. With the original enactment of the vital statistics laws in 1905, there were very few organized public health departments. Thus in order to properly serve the public, it appeared necessary to establish a county-wide file of birth and death records in each county recorder's office, since local registrars were scattered through the county and each one maintained a file for only his local registration district. However, at the present time, in most counties of the State there is essentially a county-wide health department and the application of the old vital statistics laws makes necessary the maintenance of a complete file of birth and death certificates by the local public health department, and also by the local county recorder; in some situations

these files are in the same city and even in the same building. It is proposed that permissive authority be given for the disposition of the duplicate records in the local registrar's custody in such situations, thus requiring only one local file in the county recorder's office, whose facilities and equipment make the maintenance of records a primary responsibility. Before such disposition, adequate investigation would be made to ascertain that the state and recorder's records were complete. Also, it has been found that huge files of burial permits are maintained in many local registrars' offices, whereas the death certificates include data as to the place of burial, and the local cemetery is required by law to maintain rather complete records. The burial permit is the document which gives authority for the cemetery to bury a body. Therefore, it is further proposed that statutes be enacted giving permissive authority for the local registrar to dispose of such records.

In further elimination of duplicate records, it is proposed to amend the code to exempt the City of Los Angeles from the requirement of filing copies of birth and death certificates with the county recorder, since their offices are in close proximity in the Los Angeles Civic Center.

Since the records on file in the county recorders' offices are primarily for identification purposes, it is proposed to omit from the copy of the birth and death certificates which are transmitted to the county recorder, the medical and health data.

The statutes at the present time stipulate monthly transmittals of birth, death and marriage certificates to the state office and to the county recorders by the local registrars. Since this causes a monthly peak of work in these offices, a proposal has been made that the transmittal of documents be on a weekly rather than a monthly basis in order to even the flow of work in such offices in indexing and processing.

Confusion exists with relation to the handling of affidavits to correct a record. In order to make corrections on a document, once it is filed, it is necessary that an affidavit be prepared and executed and the procedure for handling such affidavits is not clear. Clarification can be provided by simple amendments to certain sections of the code.

For many years the United States Census Bureau secured transcripts of all birth and death certificates from the State, at its own expense, and authority for making the records available to them is provided in the code. Since the federal public health statistical function has now been assigned to the United States Public Health Service, it is proposed to make corrections in the nomenclature of the appropriate sections of the code. Also, authority for making available to the Public Health Service copies of marriage certificates is also proposed; it may be that such data will be requested in the near future.

The Health and Safety Code now stipulates in detail the items which appear on the birth and death certificates. While no substantive change in the items on these documents is contemplated, the statement of the items will be proposed in a condensed form.

The county recorders have brought to the attention of the State Department of Public Health the fact that certificates of registry of marriage now need not be filed with them until 30 days after the marriage ceremony has been performed. Since it is believed that in a few situations this has encouraged a laxity in the filing of such documents,

it is proposed to amend the statutes so that certificates or registry of marriage must be filed with the county recorder within four days after the marriage ceremony, this four-day interval being the time already specified for the filing of other vital statistics documents. It is believed this will give encouragement to the prompt filing of the certificates of registry of marriage, which action is so important to the participants.

Provision exists in the code for the "sealing" of the original birth certificate in cases of adoption. Comparable legislation providing for the "sealing" on the original certificate in cases of legitimation is proposed, since it is believed that the "legitimated" children are entitled to this same type of protection.

CLINICAL LABORATORY ACT

The current laboratory act comprising Sections 1200 to 1305 of the Business and Professional Code was enacted by the California Legislature in 1937. The department has now had some 12 years experience in the administration of this act. This experience has indicated the need for a number of additions and amendments.

Some phases of this problem received some consideration in the last session of the Legislature. The department was not prepared at that time, however, to consider the whole problem. During the past two years the act has been subjected to intensive study. Assisting the department in this study has been the various professional organizations that are affected either directly or indirectly by the provisions of this law. Out of this study and associated discussions has developed the recommendations that are to be proposed by the Department. There has been, so far as we know, concurrence on the part of the various groups to the proposals that are to be made.

In general, it may be stated that the proposed amendments will accomplish the following:

1. Bring the duties of the board and the department into line with their respective duties as provided for in the Health and Safety Code. When the law was originally adopted, the Board of Health was an executive board. Since that time the executive duties of the Department have been assigned to the director, and the board serves as a legislative, judicial and advisory board. In several places it is necessary to amend the Clinical Laboratory Act in order to bring the Act in line with current practice.

2. Provide for the registration of clinical laboratory technician trainees. Under the present Act there is provided no jurisdiction over the apprentice or trainee individual. Under the proposed amendment such trainees would be registered and their prerequisites cleared in advance of beginning such training in order that the individual would know precisely the requirements before entering into this field of activity. This will avoid misrepresentation and will serve as a protection to the trainee.

3. Provide for the approval of laboratory training schools. The present act is silent on the matter of approval of training schools by the department, leaving this matter entirely open. Under the general powers

of the Board of Health a limited training school approval has been accomplished by regulations. It is proposed to place authority for such approval directly into the law.

4. Provide for the approval of laboratories for apprenticeship training purposes. Under the present law any duly constituted laboratory is indirectly approved for training. Experience has indicated that many laboratories that are operating provide such a limited scope of testing that they are inadequate for internship type of training. It is proposed in this amendment to authorize the department to establish minimum standards for laboratories desiring to provide training programs.

5. Provide for the department to expend funds under this act to assist laboratories and organized groups of laboratory workers in the evaluation of laboratory procedures and in the improvement of standards of laboratory practices. This is merely to make it possible for the department to enter more actively into the field of attempting to improve laboratory practices on a purely cooperative basis.

6. Permit the publication of a directory of licentiates under the chapter. The present law is silent on this matter. The proposal would make it possible to publish such a directory from time to time, but not more often than each biennium.

7. Require the department to maintain a current name and address file of licentiates and require licentiates to report any change of address.

8. Define more precisely the limits of application of the law, particularly as it relates to laboratory work done in offices of private practitioners of the healing arts. The current law may be interpreted to indicate that no laboratory work whatsoever may be done in California except while a licentiate under this act. It is proposed that the exemptions of federal and state institutions be expanded to include the offices of private practitioners.

9. Extend venipuncture privileges to bona fide student technicians. The last session of the Legislature extended these privileges to licensed technologists and technicians leaving the question of trainees or students without legislative consideration. This amendment would fill in this defect.

10. Outline minimum requirements for admission to the examinations for technologists and technicians. These requirements are currently covered by regulations of the Board of Health. It is proposed to place these regulations, essentially in their present form, into the law.

11. Prohibit the reissuance of temporary licenses after failure to pass an examination. Such reissuance is possible under the current act, but the groups involved feel that this should not be continued.

12. Provide for requirement of a permit in order to operate a clinical laboratory. Currently laboratory personnel are licensed, but there is no control whatsoever over the laboratory owner or the laboratory as such. Some years ago it was found that a lacensure for drug stores materially facilitated enforcement of pharmacy laws. Under this proposal laboratories would be required to obtain a permit from the department in order to operate.

13. Several amendments have to do with the clarification of definitions of offenses against the chapter.

14. There are several amendments dealing with revenue, particularly adding sections for laboratory permits and trainee fees.

15. Clarifying and making more specific the grounds for denial, revocation and suspension of licenses and permits.

LOS ANGELES MEETING, OCTOBER 13TH, 1950

DANGEROUS DRUGS

Assemblyman Rumford, as Chairman of the Subcommittee on Dangerous Drugs, made the following statement:

"We have held hearings on the problem of dangerous drugs and there have been some suggested changes to take care of the increasing number of drugs on the market today.

"We have no way of meeting the emergency with the new drugs. They are immediately taken out and put on the market by the various producers, and if it is dangerous, we almost have to wait until the Legislature meets until we can act without harm to the particular company or its products. We have had certain suggestions from the Board of Pharmacy with regard to them; and also, the Board of Pharmacy has made certain suggestions with regard to phenylhydantoin derivatives which are used for erysipelas and other diseases. In this respect we have a communication from the board requesting that we act on it at the next session of the Legislature and take it off the restricted list. We feel that because of its extensive use, and the necessity to use large quantities, it should be eliminated from the list now under the Barbituric Act."

Mr. Rumford submitted to the committee the following amendments to the Health and Safety Code suggested through Mr. Gus Affleck for the State Pharmacy Board:

Page 9, Sec. 4030, Line 3. Insert word "medicinal" after "or" and before "chemical." Except as otherwise provided in this chapter, it is unlawful for any drug, poison, medicine or *medicinal* chemical."

Page 10, Sec. 4032, line 17. After "registered or not" add, "*nor any drug or medicine ordinarily prescribed by physicians.*" Line 15, after "Formulary" insert "*and N. N. R.*" (New and Non-official remedies.)

Page 23, Sec. 4256. Subsection (1) should be eliminated. (Re: Analytical toxicologists.)

Page 27, Sec. 29001. Delete phenylhydantoin derivatives from subsection (a). After subsection (a) insert, "*The provisions of this section do not apply to hypnotic drugs when combined or compounded with other nonhypnotic drugs.*" Add subsection (j) *Phenylhydantoin and Derivatives.* Add subsection (k) *Antibiotics, Except Those for Tropical Use.*

Page 28, Sec. 29007, line 2. After the words "sales orders" insert "*for resale.*"

Page 29, Sec. 29020, 4th paragraph. This chapter does not apply to or interfere with a physician, dentist, chiropodist or veterinarian who does not *dispense* with *administering* to his own patients * * *.

Page 29, Sec. 29020, 5th paragraph. A record of the hypnotic drug *so administered* shall be kept in a ruled record book * * *.

Page 34, Sec. 20702, Schedule "B" Poisons. (*l*) Methyl alcohol or formaldehyde, and preparations containing one percent (1.0%) or more of these compounds; *except when used as a preservative and not sold to the general public.*

Page 29, Sec. 29014, 3d line. *The original and duplicate orders shall go to the supplier and he, in turn, at the end of 30 days, shall forward the duplicate copy to the board of pharmacy office.* * * *.

Sec. 29014, line 7. *Within a reasonable time* after any purchaser, *except wholesaler,* in this State * * *.

Sec. 29014, line 12. Such order, contract or agreement for such purchase to the board * * *.

Page 29, Sec. 29021, line 1. No person shall furnish or *dispense* any dangerous drug * * *.

Page 30, Sec. 29026, line 1. Every person who violates any provision of this *division*, with respect to any hypnotic drug * * *.

Page 11, Sec. 4033.?. (Establish new section). *It is unlawful for any wholesaler or manufacturer to sell drugs or medicines to any person other than a licensee except as provided under Sections 4032, 4044, 4045, and 4046.*

Mr. Burnell H. Blanchard of the Division of Narcotics testified relative to the use of empirin and codeine compound, and the refilling of such prescriptions.

Assemblyman Rumford asked at this point whether or not, for the sake of a patient, druggists and doctors get together and arrange for the refilling of such prescriptions over the telephone, and whether the restrictions on the refilling of these prescriptions should be removed to allow prescribing over the telephone.

Mr. Blanchard replied: "My instructions are, and my personal opinion also, is that it would not be to the best of the public interest to do so. Although it is commonly thought that particular drug does not cause drug addiction, that is a fallacy. We have had two physicians addicted to that particular drug who have gone through the normal court procedures and will go before the medical board. We have had two medical nurses forging prescriptions for empirin and codeine. In other words, our records will substantiate it is habit forming. It is more or less a stepping stone to the stronger narcotics, and for that reason, we do not think the restrictions are too burdensome for the physician to meet.

"Another thing, with respect to telephoning narcotic prescriptions, we find no small quantity has been reaching the streets by persons representing themselves to be bona fide physicians. There are a number of these gentlemen in San Quentin at the present time for this practice. It is very difficult to trace the calls to check on all of them and for that reason we do not believe any narcotics prescription should be telephoned, nor should any regulations on these two be relaxed at this time. We feel that we have had an unfortunate experience when in the last Legislature certain of our laws were relaxed to permit probation on a first offense. Our records are filled with abuses of that law. We have cases where an outright peddler of narcotics has been granted probation. They are destroying the young people of every city in the State and it should be stopped. To relax the laws any further would be ill advised."

Following is the statement made by Mr. Howard Hassard, Counsel for the California Medical Association: "The basic difficulty with narcotics and their use legitimately is that there is a fundamental clash between two things, each of which is in the public interest. One is the protection against narcotic addiction—the misuse by unethical people—the problems Mr. Blanchard and others in the enforcement field face. One cannot quarrel with the public policy which emanates from the Harrison Narcotic Act and state laws to stop this traffic as soon as possible; but there is another public policy which frequently clashes, and that is that such drugs, if used properly by licensed physicians and surgeons, are life saving and pain alleviating things. Frequently, as Mr. Rumford has in mind, the immediate availability, the immediate supply of a particular drug is in the interest of a patient who is suffering. The law doesn't prohibit that at all. In fact, it encourages it. But how to make it practical and feasible for an immediate supply to be available for a legitimate medical purpose, and at the same time close the door to the narcotics traffic, is a problem which I am afraid is going to be difficult to solve.

"On the other hand, there is the situation where a physician, with the multiple demands upon his time, must go on another call, but an emergency arises where a patient needs a drug immediately. The physician telephones the druggist and the drug is sent. The physician and the pharmacist are known to each other, the pharmacist knows for what the purpose the drug is to be used; but actually, under the present law, that is a technical violation at both ends of the telephone. I think what Mr. Rumford is searching for, and the California Medical Association joins in the same search, is some means by which immediate availability of the drugs to the physician and patient, when legitimately needed, can be assured without either being law breakers, while at the same time definitely not relaxing the means of apprehending and enforcing the law of narcotics. Perhaps the telephone is not the answer, but there might be some way devised by which telephone use could be so checked that the imposter couldn't get by. I can understand Mr. Blanchard's point that it is possible, if you do not see a person's handwriting, and of course that could be forged too—I know of instances where forgery has been done wholesale—but I suppose a face to face transaction is the only authentic system one could have to make certain they are not being imposed upon in the dispensing of drugs.

"The Dangerous Drug Division of our law is one separate division (Division 22 of the Health and Safety Law). It started out several years ago to control dangerous drugs, patterned after the Harrison Narcotics Act, with licensing requirements, control over record keeping of prescriptions, etc. In the last session, Division 22 was amended, not particularly in connection with its fundamental purpose to control dangerous drugs, but to add a new and second licensing system on top of the existing one, relating to hypnotic drugs. The bill was S. B. 1005 (1949) and Senator Kraft of San Diego was the author. The members will recall that during the hearings on hypnotic drugs in the Assembly Committee on Public Health, and in the Senate, there was considerable controversy, not over the intent of the bill, but over its language, and over various

and sundry amendments to it. I think, having been present at the hearings, that the Legislature in its state of mind was clear enough, but the language which became law is far from clear. In fact, it is one of the most scrambled things in the law.

"S. B. 1005 required a second licensing, over and above the regular license, to prescribe and dispense hypnotic drugs on the part of the doctor and the pharmacists who have the supply on hand. An odd thing happened in the legislative drafting. The bill specified that Section ____ and ____ was added to Division 22, and Section ____ and ____ was amended. Down in the body of the bill, the important sections of the bill, it is provided that this chapter is amended to provide such and such. Then the numbers in the Health and Safety Code which were given to those sections were such that after the bill became law, when it was printed, the two sections that complimented each other were put in two different chapters. The bill did not say which were going to what chapters. One is Section 29000 and the other is Section 29020, and each referred to this chapter. Back in the Health and Safety Code, Chapter 1 started with Section 29000 and Chapter 2 started with Section 29015, or something. In any event, the bill itself did not specify that it was amending any particular chapter. In two of those sections is a provision to the effect that the licensing requirements of the bill did not apply to physicians and doctors who furnished or dispensed this particular hypnotic drug to their patients in the ordinary course of their practice, that means for nothing other than the specific purpose of the physician-patient relationship. I am sure the Legislature wished to accomplish what it set out to do—to exempt doctors and dentists in the offices, and in their homes, and to exempt them from having to have another license before they could give a patient an empirin compound, for example.

"However, because of this mixup in numbering of chapters, the opinion has been expressed that the exemption section doesn't apply at all because the licensing got into one chapter and the exemption in the other. I think it is sufficiently important to the pharmacists, the medical profession, dentists, etc., that a clarifying section be introduced, not to change the law but to get back into it the intent of the Legislature—the intent the Legislature had at the last session."

House Resolution No. 19

Relative to directing the Assembly Interim Committee on Public Health to investigate the need of legislation regulating the use of electrical therapeutic instruments

WHEREAS, There appears to be a constant increase in the use of electrical therapeutic instruments in the treatment of persons for various diseases and ailments; and

WHEREAS, Complaints made by citizens of this State indicate that the use of such instruments by untrained or unqualified operators has resulted in numerous injuries; and

WHEREAS, The public welfare will be served by a study of this subject, designed to determine what, if any, legislation is necessary to regulate the use or operation of such machines; and

WHEREAS, Such an investigation is within the scope of the functions of the Assembly Interim Committee on Public Health; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health (created by House Resolution No. 237, 1949 General Session) is hereby directed to ascertain, study and analyze all facts and laws relating to, bearing upon, or any way affecting the subjects expressed in the recitals of this resolution and to report thereon to the Legislature not later than the fifteenth legislative day of the 1951 General Session, including in its report its recommendations for needed legislation concerning the use or operation of electrical therapeutic instruments.

LOS ANGELES MEETING, OCTOBER 13TH, 1950

ELECTRICAL THERAPEUTIC INSTRUMENTS

During the 1950 Session of the Legislature, House Resolution No. 19 was introduced by Mr. A. I. Stewart relative to directing the Assembly Interim Committee on Public Health to investigate the need of legislation regulating the use of electrical therapeutic instruments. Due to the many subjects and problems referred to the Interim Committee on Public Health, and in order to make a thorough study of each individual subject, it was impossible for the committee and its investigators to thoroughly complete the study for the need of legislation governing the use of electrical therapeutic instruments.

The committee has gathered a lot of valuable information but the need for further study is so great because of the harmful use made by inexperienced operators of these instruments, that we feel we should withhold this portion of our report and refer it together with our findings to the Interim Committee on Public Health that will undoubtedly be created during the 1951 Session.

Following is a brief report given the committee by Mr. William H. Young, the investigator for the Interim Committee on Public Health, and the information reported was gathered from various electrical engineers who Mr. Young interviewed:

"The machines number in the hundreds as far as operation, and are broken down into various names, and there is a new machine that comes under radionics. Electrical engineers inform me that you get just as much treatment from attaching a couple of wires to a pinball machine to find out if you have high or low blood pressure. There is a general consensus of opinion that any machine that puts electricity into the human body causes some damage, and in passing, I might state that there are over 7,000 therapists who use various types of machines, and this is only taking into consideration the physiotherapists. There are 5,600 chiropractors in the State of California and other people of the various subprofessions who use these machines.

"There is a generalizing function of the electric or radiotherapy which introduces electricity into the human body which creates what is known as electrolysis. The most common type of this is called sinusoidal. During this sinusoidal type of treatment one-half of the current is blocked off and not allowed to enter the body, but it consists of about 10,000 cycles a second. This restricts the function of the level cells to the motor cells only. It is used as a curative means and it goes quite deep. But the current disassociates the cell sack and causes scar tissue, and it is the theory of many specialists that this is the first form of cancer. A great deal of research, medical research, would be necessary to determine whether certain diseases or damage to cell tissue is actually caused by the machine. If an opinion were necessary I would take the opinion of experts I have talked to who declare that actually there is damage done.

"What we intend to do in this investigation from the standpoint of my abilities is to determine the operational extremes of the machine, the total machines in operation in the State of California, who operates them, and what qualifications a person needs to go to a manufacturing concern and buy a machine that will introduce electricity into the body.

"There is some mention of beauty parlor operators who remove hair by use of the machine and who give facials and, I think, remove warts. There are a lot of good things about these machines, but I have never been able to find anyone who has anything against electric needles to remove growths, but that would require expert opinion too. It is also the aim of the investigation of the committee to determine whether legislation should be enacted to limit the manufacturers and to set any minimum qualifications for the person who is to operate the machine. At the present time, to the best of my knowledge, there is no legislation that acts directly on the person operating the machine. There is some indirect control, in that in order to become a licensed chiropractor or beauty operator you must pass certain educational qualifications, and in their schools they require certain courses on physiotherapy and the operation of various machines. After a chiropractor is a chiropractor he can study further in regard to X-ray. Very few have done so. The X-ray machine is possibly the most dangerous machine there is. One electrical engineer informed me when I outlined what I intended to investigate that we should start in with the county X-ray machines, that they are not under as good control as they might be, so I can't impress upon you too much the danger of deep X-ray treatments. So as near as I can figure out, at the present time the only control over the machines and treatments is an indirect control which is placed on the schools who educate the people who later become physiotherapists and other subprofessionals.

"The question arises whether the person operating the new device keeps pace with the new inventions annually, whether they take it upon themselves to investigate the new machines, so that they thoroughly understand them and understand the operation of the machine, or whether they merely read a pamphlet put out by the manufacturers and go ahead and start using it. I am interested in whether there has been any research on the part of the medical profession to determine whether scar tissue and cell damage is directly related to the operation of the various devices, and to determine at the same time if actually the scar tissue is related to the introduction of the electricity into the system.

"The investigation is very interesting, probably due to the fact that I am not qualified to determine anything except through the opinions of others who are specialists in their own lines, and it is enlightening to the point where it is necessary to get from professionals the true happenings of this type of device. I can only guess that a great deal of work will have to be done. It is in a pioneering field as no one has paid any attention to the control of the machines and the qualifications of the people who are to operate them. It represents a large order in investigation and reporting and meeting the properly qualified experts to be able to outline to the committee their findings and not their opinions, and the actual conditions that exist in persons who have used the machines. There is no doubt that the machines can do good. The question is the qualifications necessary for the person to have who operates the machine."

Rumford: Have you investigated to determine the number of machines that operate around the country?

Young: Only to determine that there are a lot.

Rumford: Most of your X-ray equipment and most of your radio diathermy, etc., in a doctor's office is operated under his control, including the X-ray machine.

Ben Read: Since 1935 there have been attempts to regulate such machines. There is no requirement today. I can go out today and buy an X-ray machine and start using it. It should be done under the direction of someone who knows something about it. There was a very serious situation in San Pedro where a number of persons were injured, and it practically broke one insurance company, where a number of people were injured from fooling around with the machine.

Young: I have seen a number of people who have been burned, and the burned portion is exactly like the body of a person who has been cremated. You have to see it to understand what this X-ray machine will do. The skin turns black and peels off and it smells of burned and decayed matter. X-ray machinery is used for a multitude of things. It is used to cure some degree of bone injuries such as bursitis, which is a growth on the socket of the elbow or knee. There are many things that have to be looked into. It is a loose system whereby the person can tell you you have a bursitis and this machine will fix it.

Read: A lot of these machines in the doctors' offices are run by the girls in the office who don't know any more about them than a school girl. The doctor is responsible.

Rumford: That is a professional service. It is assumed, when these machines are put on the market, that they have been inspected and approved.

Young: I expect to receive data from the engineers who invent these machines, data from pathologists, and what they have found in their post mortems.

Thompson: It seems to me that it is very serious if they are out in the state like you mention, and they sell from house to house and any person that wants to can buy one and set it up as a cure-all. We are in a deep problem. If we put up a big sign in front of an office, "Electric Therapy," and if people came in there for $3 a treatment, anything could happen.

Rumford: You and I could get one if there is no license required.

Thompson: I could call myself an electric therapist, and nothing would happen.

Young: There is another theory, and that is this. As near as I have been able to determine, in the new radionics machine that I mentioned to you as being similar to a pinball machine there is no possibility of damage to come from that, but the consensus of opinion is that that machine is nothing but a fraudulent thing. People come in to find out about their blood pressure and hook themselves up to those jackets and various lights light up, etc. The question is whether this is being honest with the people or whether the persons operating them are preying on the ignorance of certain types of patients. I have also heard some qualified medical men say that these machines are good to get rid of the neurotics, as they are just not happy unless they are being treated for something. So it opens too much of an avenue for the unscrupulous to use the gadget.

Thompson: In a subsequent meeting could we subpena some of these people and have them bring around their machines and show us what they are?

Young: Yes, I want to do that.

Thompson: Isn't there any way to break down their demonstration?

Young: Yes. It can be disapproved.

Thompson: Is it the desire of the committee that we go into this further?

Rumford: I think we should contact an expert in the field, and if we can get him before the committee will mean an awful lot to any legislation that would come.

LOS ANGELES MEETING, OCTOBER 14, 1950

PHYSICAL THERAPISTS

The practice of physical therapy has been one of the most controversial subjects undertaken by the Interim Committee on Public Health during the past two years. Many arguments pro and con have been presented to the committee by various groups interested in physical therapy, even among the physical therapists themselves.

The first witness to appear before the committee at this meeting was Virginia M. Parsons, Legislative Chairman of the Southern California Chapter, American Physical Therapy Association, who said in part: "Since there is no legislation before the Legislature, now, we believe, is a good time to seriously consider the qualifications of a registered physical therapist.

"Once we have explained our part in what we believe to be good medical care for the people of California, we do not believe you will do anything to decrease those standards. Rather, we feel certain that you will stand for high standards. We hope, too, that you will not consider legislation which will tend to confuse the people of California by licensing those, who in the opinion of the medical leaders, are unqualified.

"First, then, what are registered physical therapists? What is their educational background? What training must they have before being given the privilege and the responsibility in assisting in the care of the polio patients, veterans in our government hospitals and the hundreds of others for whom physicians prescribe physical therapy?

"The American Physical Therapy Association is the professional organization of qualified physical therapists in the United States. Founded in 1921 by a group of World War I reconstruction aides and incorporated as a nonprofit organization in 1930, the association has at present over 4,000 members. There are approximately 600 members in the State of California. The association established and maintained educational standards for the training of physical therapists until 1936, when the responsibility was assumed by the Council on Medical Education and Hospitals of the American Medical Association. The association assisted in the formulation of standards for the physical therapists employed in State Agencies for Crippled Children, and has assisted materially in establishing professional classification for physical therapists employed under federal civil service. It has in recent years assisted the National Foundation for Infantile Paralysis in the recruitment of physical therapists for epidemic areas.

"The American Registry of Physical Therapists was established in 1936. The purpose of this registry is to cooperate with the Council on Medical Education and Hospitals of the American Medical Association in the attempt to maintain high standards and to make available to physical therapists a registry which will help protect ethical members of the profession and provide adequately trained physical therapists for institutions or agencies using physical therapy. Only graduates of schools approved by this council are eligible for the registry examination. Therefore, we have used the term 'registered physical therapist' for 14 years.

"Members of the association and the registry subscribe to essentially the same code of ethics as practiced by the medical profession. Furthermore, members may give treatments only under the direction of a licensed doctor of medicine. Members do not diagnose a patient's condition, prescribe treatment or advertise. We are constantly striving to promote high educational standards for those wishing to enter the profession.

The Council on Medical Education and Hospitals of the American Medical Association has formulated "essentials of an acceptable school for physical therapists" and schools meeting these requirements are commonly referred to as "approved schools." There are four ways in which a person may qualify for the profession of physical therapy. They are as follows:

1. Graduation from an approved school of nursing.
2. Graduation from college with a B.S. degree in physical education.
3. Graduation from college with a science major, or
4. Two or three years of college with a predominance of science courses.

"This background, obtained in any of the four ways mentioned, then qualifies a person for admission in an approved school. The registered nurse, the physical education major or the science major is then ready for an additional year's training, at least in any one of the five highly respected institutions where physical therapy courses are offered in the State of California. These schools are:

University of California School of Medicine at San Francisco
University of Southern California at Los Angeles
College of Medical Evangelists at Los Angeles
Children's Hospital at Los Angeles, and the
Stanford University at Palo Alto.

"The subject of standards of medical care is one which might consume hours of deliberation between those who believe them too high and those who would like to lower them. However, to resolve the question very quickly, I'm certain you will agree that where you personally are concerned, or where the life of a member of your family is at stake, or where the rehabilitation of our battle casualties is concerned, the best is none too good. That is why those of us who have devoted years of our lives to training, and propose to carry on for the rest of our working years—urge that our standards—if they are not to be increased by legislation, at least not be lowered.

"Untrained hands can cause irreparable damage to the human body. They can cause damage by not giving enough treatment as well

as overranging or overexercising. Trained though we are, let me emphasize, we work only under the direction of doctors. And physical therapy prescriptions can be as complicated as any of the other complex care the physician may prescribe. Trained though we are, we know that to practice without the supervision of the physician, who in turn is calling upon his years of experience, would not be for the best interest of the patient.

"Since our profession is so closely allied to the medical profession and since we, like all other registered physical therapists, work under the supervision of the physicians in the profession, we feel the right to license should be maintained in the Board of Medical Examiners. We believe that those who would like to join our profession should be willing, certainly, to meet the standards and regulations we have met. We are not here asking that legislation be passed to give us more, shall we say, business at the expense of other practitioners. Since we do not advertise, our patients are referred to us by the attending physician.

"We do not obtain patients by advertising imagined maladies and holding forth with fancied cures. Such tactics, in our opinion and in the opinion of the medical profession, are beyond the need of comment.

"It goes without saying that we are proud of our chosen profession. But, in that, we are hardly more proud than any other person who has given long years—and many years at almost inconsequential salaries—to attain our present position in the field of medical care

"In this brief presentation we have avoided any emotional appeal, and, in closing we would like to repeat our words of faith in you as legislators for the people of this State. As we said in 1949—we repeat again this year—'We trust you will assist us to maintain high standards of physical therapy care—high standards for your protection'."

The next witness called on to testify was Dr. Harold Crow, orthopedic surgeon from the Orthopaedic Hospital in Los Angeles, who said: "I have for many years been interested in this subject I would like to point out to you that at one time there was a time and place when people knew what a doctor was. That was in the Old World before Hitler got it all mixed up. Even in that country the lowly human knew if you called a fellow a doctor, he had gone through a school for doctors and had received a doctor's degree. They knew if he carried the title "Doctor" that he had earned the right to treat sick people. In America, on the contrary, titles are very loosely used, and the title "Doctor" has been used for treatments of almost any kind available, especially in California, which is notable throughout the world for the variety of treatments you can secure if you want them, and this situation has been more or less uncontrolled in the past We have, of course, presented the idea to you that if the physician is trained adequately, he should be able to diagnose and prescribe treatment, and the physical therapist should be (like a pharmacist) in a position to fill prescriptions. Consequently, a physical therapist will fill a prescription by a doctor for therapy treatment, in our opinion, but only after proper diagnosis by a legitimate professional person, with the interest of the patient the first consideration

"I am sure that the members of this audience are aware of the existence in this Country of two great groups of people: There are the neurotic whom we meet everywhere—people who transfer their emotional disturbances into physical illness and go on and on seeking cures for an

imaginary ailment. They are numerous. You have as well a great group of individuals who are seeking cure and relief from effects of chronic diseases, such as polio, or any of the other diseases with long and painful convalescences. These are the ones the physical therapists choose to treat. Both of them are wide open, and from our point of view they need protection, because our consideration is for the welfare of the patient. Now, if we can legislatively regulate the possibility of these people falling into the hands of practitioners who will go on and on, I believe that any bill which will set up a legitimate procedure of diagnosis by a trained physician, with a prescription of treatment to be administered by a trained prescription filler (just like a pharmacist) it would be a protection to these individuals They are very numerous and need protection from their own ignorance.

"In this country we will call anybody doctor who will treat you; and, unfortunately, people in our State make it a business instead of a profession. When the poor discouraged invalid can go on and on as long as he can pay, this is not in the interest of the patient's welfare, whose interest lies in both the physician and the trained physical therapist"

Rumford: "From my point of view, I am aware of the background of the physical therapists and we have this problem before us. What will we do with these people who have used this for a number of years? We know of your dispute with them. Do you have any solution so far as they are concerned? Do you want us to solve it for you? We have recommendations from them and from you, and I would like to know if there is any possible way we can satisfy both groups."

Dr. Crow: "Speaking not as a medical physician (because I have been in orthopedics treating people for 20 years) I can only give my own personal opinion, but I do not feel we can change the past or the people who have been practicing. It is difficult to ask the Legislature to close their shops I think that would be going too far, but certainly it should be possible to legislate and lay down rules for the conduct of that form of treatment, so that as the years pass and youth takes the place of age, you will have your adequately trained person so that the care of the patient is constantly improving. The Legislature can start at this point as a starting point to improve the future.

"I see at least three groups. We have these people who are here this morning with qualifications and all that we are positive of, such as Miss Parsons. We have other groups rendering good service, more or less under physicians' instructions, who are competent but may not have the educational qualifications, but we know they will qualify; and then we have the other groups who are definitely not qualified but they may have an office and equipment and a practice as well. I think you all know that in the past the third group has very often been an extremely illegitimate group and possibly legislation could stop that sort of thing; but the thing I think of is the boy or girl who through the second world war had a lot of experience in the actual application of physical therapy and who now want to be one It is impossible often for those people to fulfill present requirements, and now if that ability could be guided into channels where it would be useful to the community and not a means of simply stripping the disappointed patient of whatever money he has left, I think they might be used. That ability might be used, but the thing we

think of and try to defend is the discouraged despondent patient who will turn to anything for help. I have always been inclined to tell my patients where I find they have gone from doctor to doctor, if they are still in trouble and not getting satisfactory results, they can usually find advertisements regarding their ailments in the newspapers, because the advertiser is collecting these disappointed people. In the newspapers you can find pretty well listed the answers which the scientific men do not have. Cancer, arthritis, and other diseases are still a problem to us but they guarantee cures regularly."

Rumford: "Are you familiar with the draft of the bill the California Physical Therapists Association has submitted? They have made certain changes and I wonder if you would still object?"

Mr. Howard Hassard, Counsel for the California Medical Association answered:

"I think I can answer that better because Dr. Crow is not familiar with the bill. I can answer it by saying 'Yes', and then explain why in about two minutes. The bill proposed in 1949 and now modified by the California Physical Therapy Association is still at the present time substantially as it was in 1949. It permits anyone licensed under it as a physical therapist to start in on the diagnosis of a patient on his own, without any necessity of a physician having first seen the patient, and that is the fundamental objection of the California Medical Association. This is probably a poor analogy but it would be the same as if a pharmacist instead of filling prescriptions determined their ailment. As you know, the practice of medicine consists basically of three steps: one, and most important, is the determination whether or not the patient is or is not ill; whether he is or is not in need of medical care, and if in need, what care. That is diagnosis. The second step is to determine what type of treatment. That is the prescription; and the third step is treatment. Physical therapy is one phase of the third step and that is all. It is a particular kind of treatment for a particular type of injury or illness. It is not diagnosis and it is not a prescription. That is the reason Mr. Levering's bill which we sponsored calls for a system of registration to work under physicians and surgeons and not set up a separate entity."

Following is the proposed bill as it will be introduced for the American Physical Therapy Association at the 1951 Session of the Legislature:

An act to add Chapter 5.6 to Division 2 of the Business and Professions Code, relating to the practice of physical therapy by registered physical therapists.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.6, comprising Sections 2600 to 2630, inclusive, is hereby added to Division 2 of the Business and Professions Code, to read as follows:

CHAPTER 5.6 REGISTERED PHYSICAL THERAPISTS

Article 1. General Provisions

2600. This chapter may be cited as the "Physical Therapists Practice Act."

2601. "Physical therapy" means the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and

other properties of heat, light, water, electricity, massage, and active and passive exercise. The use of roentgen rays and radium, for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used herein.

2602. "Physical therapist" or "physiotherapist" means a person who practices physical therapy.

2603. "Board" means the Board of Medical Examiners of the State of California.

Article 2. Registration

2606. A person who has not been registered by the board as a physical therapist shall not represent himself as being so registered.

2607. The board shall not register any person as a physical therapist who does not conform to the following conditions:

(a) He shall be at least 21 years old;

(b) He shall be of good moral character;

(c) He shall have been graduated by an approved high school;

(d) He shall have been graduated either

(1) By a school of physical therapy approved by the board;

(2) By a school of physical education approved by the board, and in addition shall have completed an approved course in physical therapy;

(3) By a school of nursing approved by the board or by the Board of Nurse Examiners, and in addition shall have completed an approved course in physical therapy;

(e) He shall have passed to the satisfaction of the board an examination conducted by it to determine his fitness for practice as a physical therapist.

2608. A person who desires to be registered as a physical therapist shall apply to the board, in writing, on a blank furnished by the board. He shall embody in that application evidence under oath, satisfactory to the board, of his possessing the qualifications preliminary to examination required by this chapter. He shall pay to the board at the time of filing his application a fee of twenty-five dollars ($25).

2609. The board shall examine applicants for registration as physical therapists at such times and places as it may determine. It may employ registered physical therapists to aid it in such examinations. The examinations shall embrace such subjects as the board deems necessary to determine the applicant's fitness and shall include practical demonstrations and written and oral tests of such fitness.

2610. The board shall register as a physical therapist each applicant who proves to the satisfaction of the board his fitness for registration under the terms of this chapter. It shall issue to each person registered a certificate of registration, which shall be prima facie evidence of the right of the person to whom it is issued to represent himself as a registered physical therapist, subject to the conditions and limitations of this chapter.

2611. Each person granted registration under the provisions of this chapter shall pay an annual tax and registration fee to the board on or before the first day of January of each year, and such annual tax and registration fee is the sum of two dollars ($2).

2612. Receipt or acknowledgment of payment of the annual tax and registration fee by the secretary-treasurer of the board shall be evidence that the holder and possessor of a certificate of registration is entitled to practice physical therapy for a period of one year from the first day of January.

2613. Failure of any person holding a certificate of registration as a physical therapist to pay the annual tax and registration fee during the time his certificate remains in force shall automatically work a forfeiture of his certificate after a period of 60 days from the first day of January of each year. Such a certificate shall not be restored except upon written application and by the payment of a delinquency fee of ten dollars ($10). No examination shall be required for the reissuance of a certificate that has been forfeited under the provisions of this chapter.

Article 3. Refusal, Revocation and Suspension of Registration

2616. The board, after due notice and hearing, may refuse to register any applicant, and may refuse to renew the registration of any registered person, and may suspend or revoke the registration of any registered person;

(a) Who is guilty of habitual intemperance or who is addicted to the use of narcotic drugs;

(b) Who has been convicted of violating any state or federal narcotic law;

(c) Who has been convicted of any crime involving moral turpitude;

(d) Who is guilty, in the judgment of the board, of gross negligence in his practice as a physical therapist;

(e) Who has obtained or attempted to obtain registration by fraud or material misrepresentation;

(f) Who has been declared insane by a court of competent jurisdiction and has not thereafter been lawfully declared sane; or

(g) Who has treated or undertaken to treat ailments of human beings otherwise than by physical therapy and as authorized by this chapter, or who has undertaken to practice independent of the prescription, direction or supervision of a person licensed in this State by the Board of Medical Examiners to practice medicine and surgery.

Article 4 Restrictions and Penalties

2620. A person who is not registered under this chapter as a physical therapist, or whose registration has been suspended or revoked, or whose registration has lapsed and has not been revived, who uses in connection with his name the words or letters "R. P. T.," "Registered Physical Therapist," or any other letters, words, or insignia indicating or implying that he is a registered physical therapist, or who in any other way, orally, or in writing, or in print, or by sign, directly or by implication, represents himself as a registered physical therapist, is guilty of a misdemeanor.

2621. A person who makes a wilfully false oath or affirmation in any case in which an oath or affirmation is required by this chapter, or

who obtains or attempts to obtain registration by any fraudulent representation shall be punished by a fine not exceeding one thousand dollars ($1,000) or by imprisonment for not more than one year, or by both, in the discretion of the court.

2622. A person registered under this chapter as a physical therapist shall not treat human ailments by physical therapy or otherwise except under the supervision and direction of a physician and surgeon licensed by the board. Nothing in this chapter shall be construed as authorizing a physical therapist, whether registered or not, to practice medicine, surgery, or any other form or method of healing except as defined in Section 2601. Any person violating the provisions of this section shall be guilty of a misdemeanor.

2623. Nothing contained in this chapter shall be construed to limit or prevent the use of physical agents by any person not registered under this chapter, if such person does not represent himself to be a registered physical therapist.

Article 5. Powers and Duties of Board

2626. Each person engaged in the practice of physical therapy on or prior to the effective date of this chapter may be registered by the board and be issued a certificate as a registered physical therapist, upon submitting evidence satisfactory to the board either (a) that he has practiced physical therapy under the direction of a physician and surgeon licensed by the board for not less than three years either in a hospital, sanitarium, clinic or office, or (b) has taught physical therapy for not less than one year in a school of physical therapy acceptable to the board, or (c) that he has fulfilled the requirements of Section 2607, subsections (a), (b), (c) and (d) on or before the effective date of this chapter. Evidence of the practice or teaching of physical therapy submitted to the board must conclusively show to the satisfaction of the board that such practice or teaching shall have been performed within a five-year period immediately prior to application for certification. The authority of the board to issue certificates under this section shall expire one year from the effective date of this chapter.

2627. All persons who have been administering physical therapy as commissioned officers in the Medical Corps of the United States Army, or in the Medical Service Corps of the United States Navy for a period of one year or more prior to the effective date of this chapter, or who have been administering physical therapy as noncommissioned officers in the Medical Corps of the United States Army or in the Medical Service Corps of the United States Navy for a period of one year or more prior to the effective date of this chapter, and who either hold certificates of completion of training in the physical therapy department of an Army or Navy hospital, or can prove to the satisfaction of the board that they have satisfactorily completed training in physical therapy in the physical therapy department of an Army or Navy hospital, may also apply for and be granted registration without examination by the board.

2628. The board is authorized to adopt reasonable rules to carry this chapter into effect and may amend and rescind such rules at its

discretion. The board shall keep a record of its proceedings under this chapter, and a register of all persons registered under it. The register shall show the name of every living registrant, his last known place of business and last known place of residence, and the date and number of his registrant and certificate as a registered physical therapist. The board shall, during the month of May of every year in which the renewal of registration is required, compile a list of registered physical therapists authorized to practice physical therapy in the State. Any interested person in the State is entitled to obtain a copy of that list on application to the board and payment of such amount as may be fixed by the board, which amount shall not exceed the cost of the list so furnished.

2629. Blind persons shall not be denied registration solely on the basis of such infirmity.

2630. The board shall investigate every supposed violation of this chapter coming to its notice and shall report to the proper district attorney all cases that in the judgment of the board warrant prosecution. Every police officer, sheriff, and peace officer shall investigate every supposed violation of this chapter that comes to his notice or of which he has received complaint, and apprehend and arrest all violators. It shall be the duty of the district attorneys of the counties in this State to prosecute violations of this chapter.

SEC. 2. If any provision of this act or the application thereof to any person or circumstances in held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Connolly: I was going to ask the doctor * * *. You have a situation now apparently where you have a lot of people qualified or not, and at the present time they are acting individually and outside and from under any contact with the medical profession. They are diagnosing and treating illness at the present time. Isn't that true?

Dr. Crow: It is a question to which I cannot give you a factual answer because it would require a survey of the State to determine exactly what is occurring in every part of the State and that is a job which even this committee does not have the means to do. From my information, which may or may not be correct or adequate, I can only answer in this way, that to the extent that people who are not licensed to practice under any of the existing license acts, are undertaking to diagnose the ills of other people and determine the type of treatment, they are acting unlawfully, and I do not think that should be legalized.

Connolly: That is the point we seem to get to. As I understand you, doctor, physical therapy treatment should properly only be done after a proper medical diagnosis of what treatment is required along those lines.

Dr. Crow: I think that is the ideal use of this form of treatment and there is certainly a difference between the treatment for illness and treating the tired business man at the time when the temperature is 104 degrees and he goes to the club and gets rubbed down because he feels better from massage. That is not a treatment for disease, but certainly if it is for treatment, the nature of the disease should be determined and treatment prescribed for that known ailment.

Connolly: In other words, there is a dividing line in there for massage of sore muscles and aches and pains on the one hand, and physical therapy for a particular illness.

Dr. Crow: Yes, it certainly should be on a prescription, just like filling a prescription for drugs.

Connolly: And if physical therapists are at the present time diagnosing or doing anything more than massage at the club, it would be acting unlawfully since it is not within the present provision of the law.

Hassard: You have to bear in mind that the term physical therapy has in the past couple of decades acquired in usage a much broader meaning to you and I as attorneys than it does to Dr. Crow. To him it means a specific therapeutic treatment *after* a diagnosis of a specific illness or injury. It is used in a broad sense to cover anything from massage or manipulating a gadget—or the use of physical things such as heat, light, air, and physical exercise. When we say physical therapy in that sense, we are talking not about one thing but a multitude of things. So far as massage is concerned, it is not in the practice of medicine or any other branches of the healing arts.

Connolly: One further question, under this proposed bill that the American association proposes, if that legislation were adopted, would they then be in a position to diagnose?

Hassard: Yes, they would be.

Mr. Chairman, I think we have presented the points of view of the California Medical Association and the Physical Therapy Association. Mr. Levering's bill, A. B. No. 555, still represents our views. We ask for its favorable consideration by this interim committee. I might point out that we propose legislation on physical therapy on the use of the term registered physical therapists in a broad sense along the same lines that a nurse who has gone through nursing school and has graduated and passed the necessary qualifications is entitled to use the term registered nurse. But the law does not permit her to practice nursing. A. B. No. 555 has the same approach to the physical therapists. It merely sets up a means by which the public may determine the educational qualifications of the physical therapists by restricting the use of the term registered physical therapists to those who have fulfilled the necessary qualifications. We do not propose to put anyone out of business who is now lawfully operating. We have restricted those to acting under the direction and supervision of a physician or surgeon. They cannot act until a physician has referred a case to them.

Rumford: Does that mean that they could not have a place of their own?

Hassard: No. It does not mean that they would have to be in the same room as the physician. As a matter of fact, that is impracticable. They could have facilities anywhere as long as the work to be done is determined first by the physician.

Rumford: I think that is the crux of the whole fight here, but we failed to see in the bill where it has been included so far.

Hassard: The California association bill as passed in 1949 contained a section that those who were now practicing physical therapy could do so, but those who were licensed in the future would have to be referred by a physician.

Rumford: Is your group in agreement with this section that was deleted?

Hassard: Our point is that physical therapy is a fundamental type of treatment.

Rumford: Our question is, what to do with these people who are already licensed and practicing?

Hassard: If they are limiting their practice to massage there is no problem. We do not propose to prohibit the use of the term physical therapist.

Hawkins: What do you propose to do to restrict those who are now practicing who might be advertising misleadingly?

Hassard: I think existing laws are adequate to cover it if they were enforced. This committee has had some things before it in this line. The Legislature has enacted enough laws over the years to prohibit unqualified people from practicing. The enforcing of these laws has been difficult.

Hawkins: Where is enforcement at the present time?

Hassard: Enforcement is in the State Board of Medical Examiners, but it all has to go through the district attorneys in the different counties. This has been going on over a period of many years. Sometimes there will be an energetic district attorney, and many times not. It is not a question of more laws, it is a question of enforcing the ones there are.

Hawkins: The only question is with respect to referrals hereafter. There is no disagreement as to what we can do at the present time.

Hassard: There are more issues than just that, Mr. Hawkins. For example, the bill that Mr. Rumford was referring to sets up a new state board, and the California Medical Board feels that is unnecessary. We propose that such legislation as may be enacted to regulate physical therapy be under the Board of Medical Examiners, which also includes the Board of Osteopathic Examiners. We have had it before us session after session. We feel we have enough boards already.

Mr. Niel Sellers representing the California Physical Therapy Association stated as follows: "I have listened to all that has been said here today, and in summing it up, the first point I would like to make is that the members of the American Physical Therapy Association desire the title to be 'registered' instead of 'licensed.' Under the present law it would only give them a title, because 2392 definitely states that a doctor can even refer a patient to someone who is not licensed, and if we are breaking a law, the doctors are. We all need a law, and to let them work regularly it would have to be a licensing act and I don't think you can discriminate against the group and show them as registered physical therapists. And it would give discrimination against them. There are doctors in the State who do practice and prescribe physical therapy, and these people have been doing this for years. I think they should be allowed to do physical therapy under the law now. There is plenty of law now for them to work under.

"There is a great need for more schools in physical therapy. There are about 28 of the private schools today and the total number of students that can be taken in would be about 620. Physical medicine formerly was looked down on. It is one of the oldest forms of medicine there is. It is only in the last few years the need has been seen for it, and it is

gradually becoming part of the schools. I noticed a clipping out of the paper which stated that there is a need for 15,000 physical therapists. That is not counting the doctor's offices and others that need hospitalization. We lack 40 or 50 of the necessary physical therapists in our state hospitals today, and we have many patients who need that work. If we could get enough physical therapists to fill our vacancies it would aid us very much in returning many of these people to their homes sooner. I have talked to doctors on this, medical doctors, and they can see no need for that type of qualification at the present time due to the extreme need of the physical therapists. And in the future, raise the standards up. We have gone along with the specifications set-up, and I can see no need at the present time for higher standards. The people out in the public do not desire to go to the doctor first, for they say it is two fees they have to pay. With the high standards set-up, I can't see how they can do anything wrong."

Connolly: You spoke about the shortage of the physio therapists. I still don't understand your point about the lack of physio therapists.

Sellers: The schools are not turning out enough, and under the present school situation it will be years before they could. In some schools they have an age requirement of 35 to 37 years, and a lot of the people feel they will put three years of college first. They feel like why not put in a little more time and be a doctor. I have been in the field of physical therapy for many years. I started out in the U. S. Navy right after the First World War.

Thompson: You have been doing physio therapy work at Agnew for some time, haven't you?

Sellers: I have been in charge of that since 1937. We have thousands of patients going through there Last year, about 6,000. Physical therapy, although it is the oldest form of physical medicine, has only been accepted in recent years. To a lot of people it is helping the man feel better. We know fatigue is not a disease. But if you want a good massage and it relieves you, it is very hard to distinguish in many cases whether you are treating a disease or not. A lot of the people are operating under the name physical therapist, but there are a lot of them who aren't.

J. Ed McClellan, attorney for the California Physical Therapists Association, stated: "There was a point brought out by Dr. Crow which I believe is quite an important point and we have stressed before on this, that the Legislature should begin somewhere to set a standard and take care of the future of this growing profession of physical therapy, not by setting up an ideal standard which will go in immediately, but so that when replacements come in future years, the public will be assured of adequate training. That is not provided for in the bill which Mr. Hassard represents. Mr. Hassard pointed that out himself. They do not prohibit the practice of physical therapy by untrained persons. We believe that the Legislature should set a standard—spell it out in legislation. That is not done in A. B. 555 which was introduced last year. It does not set up any educational standards but leaves it discretionary with the board to approve or disapprove schools. We do not think that is the proper approach. We have set up specific standards in our bill. We have also provided for a grandfather's clause which permits those now in to continue

with reference to the new standards, but new ones must meet new standards, which is exactly what Dr. Crow proposed, and I believe should practice. Let us set up a standard by law and require those in the State to meet it. We cannot help it that those now in have not had the degree of training they should have, but let's set up a standard for the future which everyone will know, so the schools and pupils may know what standards they will have to meet in order to be able to receive a license later. In that respect, we believe our bill meets the problem, whereas the other does not.

"When Miss Parsons was talking, she referred to their very high standard. As a matter of fact, standards set up in our bill are not very different from the standards set up by the committee of the A. M. A. They require more class training than we require, but I believe the committee should learn there is a difference between a voluntary standard and a standard set up by statute. There should be a beginning minimum standard and a voluntary standard can be as high as the sky. We suggest what we believe is a reasonable standard of education. We believe it is high enough to start with, and we can go along with it for a good many years, but the standard we set up is specific. It is in the bill and compares very favorably with standards set up by A. M. A. for schools of physical therapy."

Following is a draft of the proposed bill prepared by the California Physical Therapy Association:

An act to add Chapter 5.6, comprising Sections 2600 to 2640, inclusive, to Division 2 of the Business and Professions Code, and to amend Section 11501 of the Government Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapists, creating the Board of Physical Therapy Examiners and declaring the powers and duties of such board and prescribing penalties for violations thereof.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.6, comprising Sections 2600 and 2640, inclusive, is added to Division 2, of the Business and Professions Code, to read as follows:

CHAPTER 5.6. PHYSICAL THERAPY

Article 1. Administration

2600. A board is hereby created to be known as the "Board of Physical Therapy Examiners of the State of California," hereinafter referred to as the board, which shall consist of seven members appointed by the Governor and confirmed by the Senate.

2601. Each member of the board first appointed hereunder shall have practiced physical therapy in the State of California for a period of three years next preceding the date upon which this chapter takes effect and all subsequent appointees shall be persons registered hereunder. No person shall serve on the board who shall not have graduated in physical therapy from a school, college or department of physical therapy which requires for such graduation a resident course of at least 500 hours. No two persons shall serve simultaneously as members of said board whose first diplomas or certificates were issued by the same school or college of

physical therapy, nor shall more than two members be residents of any one county of the State; and no person connected with any physical therapy school or college in an administrative or teaching capacity shall be eligible to appointment as a member of the board.

2602. Within 60 days of the date this chapter takes effect, the Governor shall appoint the members of the board, subject to confirmation by the Senate as aforesaid. Of the members first appointed, one shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. Thereafter, each appointment shall be for four years, except that an appointment to fill a vacancy shall be for the unexpired term only. No person may serve as a member of the board for more than two consecutive terms.

2603. Any vacancy in the board may be filled by appointment by the Governor and, if the Senate is in session, confirmation by the Senate; provided, however, that if any such vacancy is not so filled within 60 days after its occurrence the remaining members of the board may fill such vacancy by majority vote.

2604. Before entering upon the duties of his office, each member of the board shall take the constitutional oath of office.

2605. The Governor shall have the power to remove any member of the board from office for neglect of any duty required by law or for incompetency or unprofessional or dishonorable conduct.

2606. The board at its first meeting after appointment, and annually thereafter at its first meeting in each year, shall elect from its members a president, a vice president, and such other officers as it may deem necessary. The officers of the board shall hold their respective positions during its pleasure.

2607. For the purpose of transacting its business, the board shall meet at least once every three months, at places designated by resolution. Special meetings may be held at such times as the board may elect, or on the call of the president of the board or of any three members thereof. A written notice of the time, place and object of any special meeting shall be mailed by the executive secretary to all members of the board who are not parties to the call, at least 15 days before the day of the meeting. Four members of the board shall constitute a quorum for the transaction of business at any meeting. It shall require the affirmative vote of four members of the board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any certificate provided for in this chapter.

2608. The board shall keep a record of all of its proceedings, including a register of all applicants for registration under this chapter and the action of the board upon each application.

2609. The office of the board shall be in the City of Sacramento. Branch offices may be established in Los Angeles, San Francisco, and Fresno and such records as may be necessary may be transferred temporarily to them. Legal proceedings against the board may be instituted in any county in which any of the four cities above mentioned is located.

2610. Each member of the board shall receive the sum of twenty dollars ($20) per diem for each day spent in the discharge of official duties. In addition, each member shall be reimbursed for his necessary travel and other expenses incurred in the performance of his official duties.

2611. There shall be a full time executive secretary appointed by the board from an appropriate civil service list and the board may employ, subject to law, such inspectors, special agents, investigators, clerical assistants and other employees as it may deem necessary to carry out its powers and duties; and, except as expressly otherwise provided in this chapter, the board shall be the appointing authority for all such positions. The executive secretary shall not be a member of the board but shall perform such duties as are delegated by the board and shall be responsible to it for the accomplishment of such duties. The salaries of the executive secretary and other employees employed by the board shall be as fixed by the rules and regulations of civil service for their appropriate classifications. Any employee shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his official duties. The executive secretary shall give bond to the board in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at all times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and all expenditures incurred or authorized by the board.

2612. The board may from time to time adopt such rules and regulations consistent with general laws as may be necessary to enable it to carry into effect the provisions of this chapter.

2613. The procedure in all matters and proceedings under this chapter shall be governed by the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code of the State of California.

2614. The board shall have and use a seal bearing the name "Board of Physical Therapy Examiners of the State of California." The official seal shall be affixed to all certificates issued by the board.

2615. The board shall have power to examine applicants and to issue and revoke certificates of registration which shall have the effect of licenses to practice physical therapy as herein provided, to summon witnesses and to take testimony as to matters pertaining to its duties and to do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed; and each and every member shall have power to administer oaths and take affidavits.

2616. On or before the first day of January of each year the board shall transmit to the Governor a full and true report of all its receipts and disbursements.

Article 2. General Provisions

2617. The term "physical therapy" shall mean the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, light, water, electricity, iontophoresis, massage, and active, passive and resistive exercise. The use of roentgen rays and radium, for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used herein

2618. "Physical therapist" or "physiotherapist" or "physical therapy technician" shall mean a person who practices physical therapy. For all purposes of this chapter the terms "physical therapy" and "physiotherapy" shall be deemed identical and interchangeable.

Article 3. Registration and Certification of Practitioners

2619. After the thirty-first day of October, 1952, no person not holding a certificate issued under this chapter shall practice physical therapy in this State for compensation received or expected; provided, however, that this prohibition shall not apply to any of the following:

(a) Physicians and surgeons, osteopaths, dentists, drugless practitioners, chiropractors, chiropodists and midwives licensed to practice as such under the laws of this State;

(b) The practice of physical therapy procedures by registered nurses when such practice is incidental to their conventional nursing duties and is performed under the direct orders and supervision of a person licensed in one of the healing arts;

(c) Any activities of nonregistered nurses permitted by Section 2731 of this code;

(d) Any activities authorized by their licenses on the part of any persons licensed under this code;

(e) Any persons employed by any agency, bureau or division of the government of the United States, while performing the duties of such employment;

(f) The demonstration of any physical therapy equipment by a salesman or merchant engaged in selling such equipment;

(g) The administration of massage, external baths or normal exercise without the use of electro-therapy equipment.

2620. All certificates for the practice of physical therapy in this State shall be issued by, in the name and under the seal of the board and all applications for such certificates shall be filed with the board at its office in Sacramento or at a branch office.

Each application shall be accompanied by a fee of _____ dollars ($_____), shall be signed by the applicant, and shall contain a statement under oath of the facts entitling the applicant to receive a certificate without examination or to take an examination.

2621. A person holding a certificate as a registered physical therapist issued by the board may use the title "registered physical therapist," or the letters "R. P. T.," or any other words, letters or figures which indicate that the person using the same is a California registered physical therapist No other person shall be so designated or shall use the term physical therapist, physiotherapist or physical therapy technician. The certificate of registration as a California registered physical therapist shall not authorize the use of the prefix "Dr.," the word "doctor" or any suffix or affix indicating or implying that the registered person is a doctor or a physician or surgeon.

2622. The following persons shall be entitled to receive certificates under this chapter without examination and without compliance with Section 2630 of this code provided they comply with the requirements of Section 2623 and file their applications therefor on or before October 31, 1952:

(a) All persons who have administered physical therapy as commissioned or noncommissioned officers, or both, in the Medical Corps of the United States Army or in the Medical Service Corps of the United States Navy for a period of one year or more within the last three years prior to January 1, 1951;

(b) All persons who have taught physical therapy in this State, for a period of one year or more within the last three years prior to January 1, 1951, in a school, college or department of physical therapy which requires for graduation a resident course of at least 500 hours.

(c) All persons who for a period of one year or more within the last three years prior to January 1, 1951, have been applying to human patients in this state any three of the following modalities, to wit: Electrotherapy, light therapy, hydrotherapy, massage and therapeutic exercise.

(d) All persons who have been residents of this State for a period of one year or more immediately prior to January 1, 1951, and who were enrolled as resident students of physical therapy on January 1, 1951, in a school, college or department of physical therapy which requires for graduation a resident course of at least 500 hours and who graduate therefrom on or before October 31, 1952.

2623. Every applicant for a certificate under this chapter must at the time of application be a resident of this State and a person over 21 years of age, of good moral character, not addicted to the intemperate use of alcohol or any narcotic drug; and every person applying for a certificate under this chapter otherwise than under the provisions of Section 2622 hereof must, in addition, have successfully completed courses of training equivalent to the minimum standard established in this chapter for approval by the board.

2624. The board shall have power to provide by appropriate rules and regulations for the issuing of certificates without examination to persons licensed in other states having statutory educational standards similar to the standards fixed in this chapter provided such other states extend the same privilege to persons licensed in this State.

2625. Except as provided in Sections 2622 and 2624 of this code no person shall receive a certificate under this chapter without first successfully passing an examination given under the direction of the board. Such examination must be in writing and shall be conducted by such persons and in such manner and under such rules and regulations as shall be prescribed by the board but must be so conducted that the identity of each applicant taking an examination will be unknown to all of the examiners until all of the papers have been graded.

2626. Every applicant who is otherwise qualified as provided in this chapter and who receives an average grade of 75 percent and does not receive grades below 65 percent in any two subjects shall be granted a certificate.

2627. Any applicant who fails to pass the examination of the board may take another examination in the subjects in which he failed without payment of an additional application fee, if not less than six months or more than 12 months after the unsuccessful examination. Upon failure of an applicant to pass a second examination the board may require him to complete additional courses of study designated by the board, in which case he shall be required before taking another examination to present to the board satisfactory evidence of having completed the required additional courses and shall pay an additional fee equal to the fee required for filing the original application.

2628. Certificates issued under this chapter shall be valid, unless sooner revoked or suspended, for the current calendar year in which issued and shall expire on December 31 of such year but shall be renewable as of course from year to year upon payment of a renewal fee of _____ dollars ($_____) not later than February 15th of each succeeding year. Failure to pay such renewal fee by February 15th of any such succeeding year shall result in the automatic forfeiture of the certificate.

2629. On or before November 1st of each year the executive secretary of the board shall mail to each certificate holder hereunder, at the latest address furnished by such certificate holder to such secretary, a notice that the renewal fee, stating the amount, will be due on or before December 31st of the then current year and that failure to pay the fee by February 15th of the following year will result in forfeiture of the certificate.

Article 4. Educational Standards

2630. Except as otherwise provided in this chapter all applicants for certificates under this chapter must be graduates of California high schools or their equivalent and in addition have successfully completed, in schools approved by the board, courses of instruction equivalent to the following minimum standard;

(1) A first year course of not less than 1,000 hours (reasonably distributed) including the following subjects taught by instructors having the following qualifications, to wit:

Subject	*Qualifications of instructors*
General inorganic chemistry General biology General human anatomy Abnormal psychology	Doctor of Medicine or person having qualifications required for secondary teaching certificate. Doctor of Medicine or other qualified instructor in this specialty.
General physics English I English II	Persons having qualifications required for secondary teaching certificate.

(2) A second year course of not less than 1,200 hours (reasonably distributed) including the following subjects taught by instructors having the following qualifications, to wit:

Subject	*Qualifications of instructors*
a. Applied sciences Anatomy Pathology Physiology Psychology Physics, correlated with other subjects	Doctor of Medicine or other instructor qualified in specialty.
b. Procedures Electrotherapy Radiation therapy (not including X-ray or radium therapy) Hydrotherapy Massage Therapeutic exercise	Qualified Physical Therapist.

Subject	*Qualifications of instructors*
c Physical therapy as applied to: Medicine, Neurology, Orthopedics, Surgery	For theory, Doctor of Medicine or other instructor qualified in specialty. For practice, Qualified Physical Therapist
d. Ethics and administration	Qualified Physical Therapist.
e Electives	Qualified Physical Therapist.
f. Clinical practice	A physician and surgeon or other person whose professional license authorizes the diagnosis of disease and the prescribing of physical therapy procedures and also a Qualified Physical Therapist.

except that any one of the following will be accepted in lieu of the said first year course, to wit:

(a) Graduation from a school of nursing approved by the Board of Nurse Examiners of the State of California;

(b) Graduation from an accredited school of physical education;

(c) Two years of college training in an accredited school or accredited schools including courses in biology and other sciences.

2631. All schools, whether situated in this State or not, furnishing courses of study meeting the minimum standard required by Section 2630 of this code shall be approved by the board and shall be entitled to enforce such approval, if the same is denied, by action in the superior court of the State of California, the procedure and power of the court in which action shall be the same as provided in Section 2374 of this code.

Article 5. Suspension, Revocation and Reinstatement of Certificate

2632. The board shall have the power in its discretion, after appropriate proceedings under the Administrative Procedure Act, to suspend for not more than 12 months or to revoke any certificate issued under this chapter for any of the following causes:

(a) Advertising in violation of Section 2637 of this code;

(b) Fraud in the procurement of any certificate under this chapter;

(c) Procuring or aiding or offering to procure or aid a criminal abortion;

(d) Conviction of a felony or other crime involving moral turpitude;

(e) Impersonating or acting as a proxy for an applicant in any examination given under this chapter;

(f) Habitual intemperance;

(g) Addiction to the excessive use of any habit-forming drug;

(h) Insanity.

2633. Any certificate forfeited under this chapter for failure of the certificate holder to pay a renewal fee may be reinstated by the board at any time on payment of a reinstatement fee of twenty-five dollars ($25).

2634 Any certificate revoked by the board for cause may be reinstated by the board, in its discretion, after one year, upon payment of a reinstatement fee of twenty-five dollars ($25).

Article 6 Offenses and Enforcement

2635. Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and punishable by a fine not exceeding five hundred dollars ($500) or imprisonment in a county jail not exceeding six months or by both.

2636. The Attorney General shall act as legal counsel for the board.

2637. No holder of a certificate issued under this chapter shall advertise for patients; but the use of professional cards, professional announcements, reasonable window signs and reasonable office signs designed for the identification of the certificate holder and his office shall not be deemed advertising. The board shall have power to make reasonable rules and regulations concerning the application of this section.

Article 7. Fiscal Administration

2638. After the initial establishment of the board and its offices, all expenses incident to the operation of this chapter shall be paid from the revenue derived therefrom.

2639. Within 10 days after the beginning of each calendar month the board shall report to the State Controller the amount and source of all collections made under the provisions of this chapter and at the same time pay all such sums into the State Treasury, where they shall be credited to the Physical Therapy Fund.

2640. The board shall have power to make such expenditures from the Physical Therapy Fund as it shall deem necessary or appropriate for the performance of its duties under this chapter.

SEC. 2. There is hereby appropriated from the General Fund the sum of fifteen thousand dollars ($15,000) for the initial establishment of the Board of Physical Therapy Examiners, which sum shall be credited to the Physical Therapy Fund but repaid to the General Fund within two years

SEC. 3. Section 11501 of the Government Code is hereby amended to read as follows:

11501. (a) The procedure of any agency shall be conducted pursuant to the provisions of this chapter only as to those functions to which this chapter is made applicable by the statutes relating to the particular agency.

(b) The enumerated agencies referred to in Section 11500 are:

Board of Dental Examiners of California
Board of Medical Examiners of the State of California
Board of Osteopathic Examiners of the State of California
Board of Physical Therapy Examiners of the State of California
Board of Nurse Examiners of the State of California
State Board of Optometry
California State Board of Pharmacy
State Department of Public Health
State Board of Public Health
Board of Examiners in Veterinary Medicine
State Board of Accountancy
California State Board of Architectural Examiners
State Board of Barber Examiners

State Board of Registration for Civil Engineers
Registrar of Contractors
State Board of Cosmetology
State Board of Funeral Directors and Embalmers
Structural Pest Control Board
Yacht and Ship Brokers Commissioner
Director of Professional and Vocational Standards
Collection Agency Board
State Fire Marshal
State Mineralogist
Director of Agriculture
Labor Commissioner
Real Estate Commissioner
Commissioner of Corporations
Department of Social Welfare
Social Welfare Board
Department of Institutions
Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun
Board of Pilot Commissioners for Humboldt Bay and Bar
Board of Pilot Commissioners for the Harbor of San Diego
Fish and Game Commission
State Board of Education
State Board of Equalization
Insurance Commissioner
Building and Loan Commissioner
State Board of Cleaners
Board of Social Work Examiners
Board of Chiropractic Examiners

SEC. 4. If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, sentence, clause and phrase hereof irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared unconstitutional.

Mr. McClellan went on to state: "There is a dispute with the association I represent with respect to two things. One is whether or not the treatment of a patient with physical therapy involves diagnosis and whether or not they should be permitted to diagnose. I believe most of our people will say that because of its nature, physical therapy and its application does not involve diagosis. They do not tell a patient that the patient has cirrhosis of the liver or anything specific. As I understand it, they do not try to treat a specific disease so they do not have to identify it. If the mechanical processes of the body are kept in a free flowing operation, the body itself will take care of the disease. If they discover evidence of disease, they send the patient to a doctor because it is out of their realm. There is that thought strongly held that they are not dealing with disease. If they are doing a specific type of treatment, that comes from a doctor anyway. But, if a person comes in who is just tired, or for some other reason needs his muscles loosened up, that is not determining or treating

a disease. The bill we propose does not condemn any reference to operating under the direction of a prescription or a physician. As a matter of fact, a very large proportion of the work done by the California Therapists Association is done by reference from doctors. There is no question of that. When you come to the subject of prescriptions by doctors, however, I believe that most doctors prescribe physical therapy in very general terms, and very few medical doctors can give a specific treatment for certain conditions or designate the length of time to operate a diathermy machine, etc. That is not in their training."

Thompson: Has physical therapy been defined in either bill?

McClellan: It has been defined in both bills and they are not very different, except that A. B 555 makes a distinction between registered and nonregistered physical therapists and performing physical therapy upon a patient under the instructions of a medical man, duly licensed by the Medical Board. We make no such distinction. I would like to point out another thing. Under the present law, if the laws were enforced, people who are practicing physical therapy beyond mere massage are practicing illegally. The present laws do not make any distinction between the registered and unregistered physical therapists, so, if the operations of the unregistered are illegal, so are the operations of the registered.

Connolly: That was as to diagnosis—not as to treatment.

McClellan: I wanted to make sure it was because it could have been interpreted more broadly. I wouldn't want any misunderstanding. Registration of physical therapy now is voluntary and is not covered by any law. We feel that there should be a law and those not meeting the standards should not be licensed; but persons now practicing should be licensed under a grandfather's clause. Then, as replacements come, the new standards will apply; and over a period of years we will get a body of physical therapists with exclusively highest training. There could still be voluntary considerations and restrictions. Hospitals could say they would only accept registered therapists from certified schools. Our bill would set up the minimum standards and they could have them as high as they please.

There is one other thing, and that is the matter of an independent board. Mr. Hassard says he feels the board is not necessary. If it is a matter of whether there are an excess number of boards or not, there are a great many who feel that there are. However, if they want it badly enough, the mere fact that there are many boards should not interfere with their having a board composed of trained physical therapists. Some physicians are highly trained physical therapists and many are not They depend on technicians. Many would not pass an examination and I doubt if the Medical Board could. It seems to me that the board responsible for giving examinations and determining what shall be in those examinations, determining who shall pass, and then administering the laws regulating the practice, should be made up of men trained in that field. They can be physicians and surgeons partly, but first, they must be physical therapists, and if they are, they do not need to be physicians and surgeons. That should be all required of them. Being physicians or surgeons would not qualify them. It seems to me there should be a separate board and it should be composed of physical therapists. I assure you the people I represent, those who have a lot of money invested, and the profession, need it

very badly; so, unless there is a very strong reason against the board, I think that desire should be recognized by the Legislature.

Connolly: I can't get over this point of diagnosis somehow. Rosenthal's Bill (A. B. No. 1213) provided that nothing in this chapter shall be construed to provide that the person representing himself as a physical therapist is allowed to diagnose or prescribe in terms of treatment. In your bill that language is not there to that extent. Is there some point in your association's thinking that lacks this distinction?

McClellan: I think our association would be willing to adopt a provision that would prohibit them from diagnosing disease. I don't think they would in all happiness agree that they operate under physicians and surgeons, but I do believe they would accept a prohibition against diagnosis.

Connolly: If you had a provision that they work closely under physicians and surgeons, you wouldn't be getting at this massage situation, would you?

McClellan: No. No, it seems to me there should be a medium ground there upon which all people who are interested in the public health would meet. I believe if we could sit down together, we would work out a clause which would prohibit diagnosis of disease by people not trained for that. Quite frankly, we admit we do not propose to make physicians and surgeons out of our people. If our educational standards do not qualify them to diagnose disease, I believe that we could agree on a clause to protect against unqualified diagnosis and still let our people operate.

Following is the opinion rendered by the Office of the Legislative Counsel as requested by Assemblyman John F. Thompson, Chairman of the Interim Committee on Public Health:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
218 STATE CAPITOL, SACRAMENTO 2, CALIFORNIA
October 30, 1950

HON. JOHN F. THOMPSON
Route 3, Box 408, San Jose, California

Practice of Physical Therapy—No. 2156

DEAR MR. THOMPSON: You have asked us questions concerning the practice of physical therapy which are considered separately below.

QUESTION

Is there any existing law regulating the practice of physical therapy?

OPINION

Our search has revealed no existing law *specifically* regulating the practice of physical therapy.

ANALYSIS

The Business and Professions Code regulates the practice of medicine and surgery in this State and requires that all persons who practice in particular fields of medicine be licensed and be issued certificates defining and limiting the scope of their practice. The practice of physical therapy is not specifically defined nor specifically regulated by the Business and Professions Code, nor is there any provision for the licensing of physiotherapists in this State.

However, we have found no authority for distinguishing persons giving treatments known as physical therapy from other unlicensed persons, which would exempt them from the general regulation of medicine intended by the provisions of the Business and Professions Code.

We call your attention to Assembly Bills Nos. 1213, 555, and Senate Bill No. 277, which were introduced in the General Session of 1949, all relating to the practice of physical therapy and providing for the regulation, licensing, and disciplining of physiotherapists.

QUESTION

May any licensed physician "refer or direct" patients for physical therapy treatments to persons who are unlicensed to administer such treatments without violating Section 2392 of the Business and Professions Code?

OPINION

It is our opinion that a licensed physician who directs or refers patients to any person who performs any act as a treatment of the sick, and who is not licensed as provided by the Business and Professions Code to perform such acts, does so in violation of Section 2392 of said code.

ANALYSIS

Section 2392 of the Business and Professions Code reads as follows:

"2392. The employing, directly or indirectly, of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted constitutes unprofessional conduct within the meaning of this chapter."

In construing this section, the courts have found no need for construction in order to bring any particular set of facts within its terms. Every person of common knowledge is held to know what "treating the sick or afflicted" means. The doing of any act, in accordance with "any system or mode" of treatment, would be within the terms of the definition. *Howson* v. *Board of Medical Examiners,* 128 Cal. App. 35.

The practice of physical therapy by its general definition is "the treatment of disease by physical and mechanical means, as by massage, regulated exercise, water, light, heat, electricity, etc.; also, the branch of medicine concerned with such treatment" (Webster's New International Dictionary, Second Edition).

Since by this general definition the practice of physical therapy is held to be "the *treatment of disease,*" it is the practice of "any system or mode of treating the sick or afflicted" within the meaning of Section 2392 and is regulated thereby.

It is, therefore, our conclusion that a licensed physician who directs or refers patients to any person who performs any act *as a treatment of the sick* and who is not licensed as provided by the Business and Professions Code to perform such acts, is aiding and abetting an unlicensed person to practice a system or mode of treating the sick or afflicted which constitutes unprofessional conduct within the meaning of Section 2392.

In construing such regulatory statutes, courts have noted that such acts as may come within the definition of physical therapy, when performed as a *mechanical art* and not as a treatment of the sick, do not

come within the regulation of such statutes Consideration has been given to the distinction between a mechanical art and a profession unless the statute clearly manifests other intent, since the courts will not presume that the Legislature intended more than necessity actually requires to interfere with the right of one to engage in a common and useful occupation for which he is qualified. *Dvorine* v. *Castleberg Jewelry Corporation*, 185 A. 562; *Milling* v. *State* (Texas) 150 S. W. 434, 435.

There is some authority for the proposition that where certain acts are done by unlicensed persons under the immediate supervision and direction of a licensed physician, such acts do not constitute the practice of a mode or system of treating the sick. *Chalmers-Francis* v. *Nelson*, 6 Cal. 2d 402.

QUESTION

You point out that Section 2146 of the Business and Professions Code provides that "nothing in this chapter shall be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment" and suggest that physical therapy is covered by the words "any other treatment."

OPINION

We believe that physical therapy is included in the words "or any other treatment."

ANALYSIS

Section 2146 of the Business and Professions Code reads as follows:

"2146. Nothing in this chapter shall be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment, nor shall it regulate, prohibit, or apply to any kind of treatment by prayer, nor interfere in any way with the practice of religion."

Where general words follow the enumeration of a particular class of persons or things, the general words will be construed as applicable only to persons or things of the same general nature or class as those enumerated, *People* v. *McKean*, 76 Cal. App. 114.

The words "any other treatment" are general words to cover all systems or modes of treatment of medicine or surgery, since they are preceded in the section by the terms "medicine or surgery."

Since physical therapy is a *treatment* and also a branch of medicine by definition, it is a like subject and may be included within the scope of the general words.

The fact that Chapter 5 regulating the practice of medicine nowhere specifically mentions nor specifically provides for the practice of physical therapy does not work a discrimination against the field of physical therapy. The Legislature cannot be expected to anticipate the founding of new systems of thought or methods of healing and specifically name and specifically regulate all fields.

Section 2192, as you point out, does not include in its required courses the subjects defined under physical therapy. However, we fail to see that this constitutes a discrimination. Section 2192, read with the title of Article 5 in which it is found, enumerates what each applicant

for a physician's and surgeon's license shall show as evidence of professional instruction, according to a schedule set forth therein. This section does not purport to set forth *all* the subjects which a physician and surgeon may include in his *practice.*

The scope of a physician's and surgeon's practice is a wide one and is authorized by Section 2137, which reads as follows:

"2137. The physician's and surgeon's certificate authorizes the holders to use drugs or what are known as medical preparations in or upon human beings and to sever or penetrate the tissues of human beings *and to use any and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions.*" (Emphasis added.)

This section, we believe, includes authorization to perform acts which constitute the treatment known as physical therapy.

Section 2141 of the Business and Professions Code in defining who is guilty of a misdemeanor does not prohibit the practice of, nor discriminate against any system or mode of treating the sick, but it does prohibit the practice of any system, mode, or treatment of the sick by a person who does not have, issued and valid at the time, any one of the certificates authorizing such treatment issued pursuant to the provisions of the Business and Professions Code.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By VOULA G. DAVANIS, Deputy

DOCTOR L. A. BRINKLEY

Los Angeles Meeting, November 17, 1950

Hearing of the Assembly Interim Committee on Public Health, regarding the Chiropractic Practices of Dr. L. A. Brinkley of Los Angeles

As a result of numerous complaints having been received by various law enforcement agencies, the State Board of Medical Examiners, State Board of Chiropractic Examiners, and the Assembly Interim Committee on Public Health, the services of William H. Young, a special investigator, were employed, and he was instructed to conduct an investigation of the activities of Dr. L. A. Brinkley of Los Angeles.

The complaints dealt with the reported unethical practices and unethical advertising of said Dr. Brinkley, D.C. The complaints came from various persons whom he had treated and from other chiropractors and doctors in the southern part of the State. The complaints are in the files of the Los Angeles City Health Officers, Board of Chiropractic Examiners, Attorney General's Office, Los Angeles Police Department's Bunco Squad, Better Business Bureau of Los Angeles, and the Board of Medical Examiners.

The first offense complained of by former patients was that Dr. L. A. Brinkley, D.C., his staff and technicians verbally guaranteed curing various diseases and ailments and advertised in such a manner, and subsequently failed to produce any cures—but did succeed in inducing the patients to take prolonged series of treatments which did nothing toward relieving their ailments, but did relieve them of their cash. The patients

invariably complained of high pressure sales methods being used on them. Complaints number in the hundreds.

Following is the report by William H. Young, special investigator:

History and Background

Dr. Lynn Andrew Brinkley, D.C. holds license No. 6502 issued by the California State Board of Chiropractic Examiners, August 23, 1946. Dr. L. A. Brinkley, D.C. formerly operated in Huntington Park, California, where he is reported to have been associated with Viola Einer and Bernard D. Einer, both chiropractors at 6312 Seville Avenue.

The Brinkley treatment is advertised and commonly called the New Yorker Technique. Offices are located at 355 South Broadway, Los Angeles 13, California. Phone: Trinity 7031.

The New Yorker Technique was first owned and operated by John R. Osborne. Osborne operated under a Naturopathic license granted him from Battle Creek Sanitarium in 1900. On June 28, 1948, John R. Osborne was arrested in Los Angeles for five counts of violating Section 2141 of the Business and Professional Code—"Practicing of the Healing Arts without a License." Osborne subsequently pleaded guilty on one count. The others were dismissed. He was denied probation and fined $200. Osborne has prior convictions, one of which resulted in his imprisonment in Leavenworth Federal Penitentiary, January 31, 1927. This conviction resulted from his gigantic swindle on the sales and resales of the Valhalla Park Cemetery during 1924, 1925, and 1926 Osborne was also reportedly arrested later for bookmaking.

After Osborne's arrest at the New Yorker, Dr. L. A. Brinkley, D.C. appeared as the owner and operator of the place, and at inquiries by the Board of Chiropractic Examiners, proof was presented that Dr. L. A. Brinkley, D.C. is purchasing the New Yorker from John R. Osborne. This was handled by Brinkley's attorney named "Chesebro" reported to be the son of Los Angeles City Attorney.

During his operation of the clinic, Dr. L. A. Brinkley, D.C. and other New Yorker chiropractors were cited to appear before the Board of Chiropractic Examiners on at least two different occasions. There is no record of disposition of the Brinkley cases before the Board of Chiropractic Examiners.

Most recent action of the Board of Chiropractic Examiners is contained in the following letter dated July 6, 1950:

July 6, 1950

DR. W. W. PERCY, *Secretary*, State Board of Chiropractic Examiners,
1020 N Street, Sacramento 14, California

DEAR DR. PERCY: At the board of directors meeting in Oakland, May 25, 1950, among other matters that brought forth much discussion was that of Dr. Brinkley. Out of this discussion there was a motion by Dr. Harrod that the board of directors adopt a resolution petitioning the State Board of Chiropractic Examiners to take steps immediately to

suspend the licenses of all individuals known or reasonably presumed to be aiding and abetting an unlicensed practitioner.

We trust this will have your usual good attention.

Cordially,

W. P. WILLIMOTT
Executive Secretary

WPW: AM
cc: Dr. Helle
Dr. Walker
Dr. Tobin
Dr. Poulsen

Current Activities and Operations

The staff at Dr. Brinkley's establishment, 355 South Broadway, Los Angeles, is a large one consisting of 16 licensed chiropractors, over 100 technicians and his offices contain 43 private treatment rooms.

Dr. Brinkley advertises the following numbers treated:

1948	18,240 treatments
1949	30,000 treatments
1950 (January)	9,884 treatments
1950 (February)	15,122 treatments

Affidavits and statements from former employees and patients concur in the following modus operandi of his practice:

The patient, attracted to his office for a trial treatment at an advertised fee of $3 is given consultation and diagnosis, being put on a colonic table. One of the doctors does the examining and in his examination he always finds one of the following: an impacted colon, ptosis of the transverse, spastic descendancy, or an impacted sigmoid. The patient is then informed that this condition is the source of his trouble. The extent of the supposed condition is exaggerated to the patient who is then given a colonic treatment by one of the technicians who also outlines the series of six treatments for $95 The patient is also shown colored physiological charts and kinked colons and other things are pointed out as a prelude to setting him up to buy the first series of six treatments.

The second and third treatments are subsequently given, and at the time of the third treatment, the blood pressure of the patient is taken and diagnosed as being too high or too low. The patient is then sold a course of vitamins at a price of $40.50 to $42 50 as a supplement to the treatments. In July, 1950, a new vitamin course for $64 was originated.

The fourth and fifth treatments are merely super-saturations of the colon and the sixth treatment is different only in that the patient is told that he or she has made progress but that another series of six treatments is needed to thoroughly correct the condition. This method is continued until the patient quits.

Chiropractors and technicians are thoroughly instructed and attend classes and lectures on how to sell the patient treatments and vitamins. A bonus is given on a percentage basis to technicians who sell extra treatments and vitamins

Patients have been resold series of treatments whether they needed them or not and there are instances where the patient has bought 100 treatments or more.

Only variation in the series of six treatments is that before the first treatment, the patient is given a 10 ounce bag of barium meal to take 14 hours before the treatment so that the barium will be in the colon at the time the patient is examined behind a fluoroscope. The patient is usually diagnosed as having a ptosis colon or an impaction, a spasticity or enlarged liver or enlarged heart. This provides the sales point used to sell subsequent treatments.

Affidavits signed by chiropractors who formerly worked for Dr. Brinkley corroborate the above, as well as statements of former patients.

The financial arrangements under which the other chiropractors work for Brinkley consist of a flat salary per month, usually around $300 and one-half of one percent of the gross, which averages around $70,000 per month. Some days as much as $5,000 has been taken in. The chiropractors also get 50 cents on every bottle of Carter's Little Liver Pills which are sold for the sum of $4.50.

Some former employees state that John R. Osborne actually owns the clinic. Dr. Leo S. Calloway, D.C., states that John Osborne informed him that Brinkley was not satisfactory, that Brinkley received $500 per month and 1 percent of the gross, and that he, Osborne, had the place leased to Dr. Brinkley with a 30-day cancellation clause. (See affidavit of Dr. Leo S. Calloway, D.C.) It is rumored that a Mrs. Lucille Cummings, titled "office manager", is a partner of John Osborne in the venture.

EQUIPMENT: Dierker Colonic Machines—purchased from the Dierker Company by John Osborne, Battle Creek Health Builder, Oscillator, violet ray lamp, Fisher Therm Short Wave machines, Fluoroscope machines—purchased from the Cutler Physicians Equipment Company, 926 Venice Blvd., Los Angeles, California.

ADVERTISING

Advertising of the Dr. L. A. Brinkley, D.C. New Yorker Technique with offices located at 355 South Broadway, Los Angeles 13, California, is promoted on a grand scale in which television, radio and the five principal newspapers are used.

A survey of the newspapers reveals that Dr. Brinkley advertises daily, using large display-type ads of from 30 to 60 inches. He probably comes in the 6,000 to 10,000-inch rate per six months which would be between $2.13 per inch to $2.98 per inch (lowest rates). This indicates approximately $27,000 per month in each of the five largest Los Angeles papers, a total of over $325,000.

Brinkley has used television advertising over KTLA, Channel 5, in a series of programs on consecutive Sundays.

Radio Station KRKD broadcast his program daily for a long period of time.

In his display ads, he alternates quotations by other doctors, and testimonials of patients. His ads are cleverly composed so that the average reader can easily compare a symptom in the ads as synonymous with one of his own. The advertised trial treatment for $3 is the "come-on" to get the patients in. Then the pressure salesmanship is used.

NOTE: (Brinkley has thousands of letters and testimonials from patients These letters and testimonials credit him with a wonderful treatment. Complaints number hundreds Commendations number thousands)

Brinkley's ads quote other chiropractors and doctors. They quote, in most instances, only a fragment of printed material of the person. In some quotes, it is not clear whether the quote refers to the New Yorker Technique or some totally irrelevant matter. In some instances the use of the quotation has been objected to by the person quoted.

Dr. L. A Brinkley, D.C., also publishes and distributes a 120-page booklet entitled "The True Cause of Disease." This booklet is distributed free and mailed to anyone on request. It contains articles by Dr. Charles A. Tyrrell, M.D., Alcinous B. Jamison, M D., Dr. J. H. Kellogg, M.D., and by Dr. L. A. Brinkley, D.C.

The booklet also contains testimonials that are far-reaching in descriptions, to wit:

"After 83 years of suffering a woman was 'suddenly' completely cured and resumed her 'very active' life."

"A woman dope addict was cured of a pint of worms. (Color and type not given as they were flushed away too fast). She also threw away all her drugs."

"Another person's stones dissolved!"

A 75-year-old man who suffered for 20 years can now do more work per day in addition to a "10-mile walk"

After only 30 days, a woman, age 73, gained 90 pounds in weight, and can now work all day.

A woman was able to put "my shoes and stockings on" after three years of going barefoot.

After two unsuccessful operations on a "nervous stomach" by M.D.'s, a woman was cured of this condition in nine days by Dr. Brinkley's enemas.

A woman passed enough gall-stones to fill a dump truck.

A woman who had insomnia and couldn't turn over in bed, can now sleep with anybody. "Nervousness disappeared like snow on an April roof."

Another passed "many gall-stones without missing a day's work."

All of these testimonials give full credit to Dr. Brinkley and the New Yorker treatment for all cures.

SUMMARY AND RECOMMENDATIONS

Investigations of Dr. L. A. Brinkley, D.C., his methods, operations and advertising, have been made by:

Chiropractic Board of Examiners, Earl Hall, Investigator.

Los Angeles Police Department, Bunco Squad, Detective L. B. Ruppers.

Medical Board of Examiners, Bydie S. Woodruff, Investigator.

State Department of Justice, Office of Attorney General, Howard S. Goldin, Deputy Attorney General.

Better Business Bureau, Los Angeles, Robert J. Bauer, General Manager.

Los Angeles Health Officer, George M. Uhl, M.D.

California Pure Food and Drugs, Mr. Duffy and Mr. Shliff.

Complaints emanating from former patients have reached the above offices and are on their files. Various investigations have been conducted

and the findings of the above form a concrete pattern showing Dr. Brinkley's methods.

There is no violation of Section 10a, the Chiropractic Act of California. This section provides for the suspension of the license of any person who violates its provisions regarding advertising. As the section is written, there is no mention of anything prohibiting advertising except advertising to cure menstrual difficulties; to cure venereal diseases; to cure sexual diseases; lost manhood; sexual weakness or sexual disorders or any disease of the sex organs.

The wording of all of Dr. Brinkley's ads, summarized, state in effect that a clean intestinal tract is conducive to good health. The testimonials and quotations are blended into the ad for sensational effect and to appear as endorsements. The composition of the advertisements is misleading to the layman.

Section 17500 of the Business and Professions Code does not contain any prohibition against "sensational or fabulous" advertising.

Section 17500.1 Business and Professions Code precludes a state board or commission within the Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertisement which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals existing rules or regulations conflicting with said section.

Note: The above ruling was given by Howard S. Goldin, Deputy Attorney General, in a meeting with Dr. E. Paulsen, D.C., a member of the State Board of Chiropractic Examiners, April 28, 1950.

While rule number 311 of the Board of Chiropractic Examiners appears to prohibit "sensational or fabulous" advertising, this rule is invalidated by Section 17500.1 of the Business and Professions Code.

The Chiropractic Board cannot add additional advertising grounds for discipline than those enumerated in Section 10a of the Chiropractic Act, which prohibit advertising a cure for sexual disorders and diseases.

However, on page 80, under female disorder, in a chapter entitled "Disease and Its Causes," and continuing on pages 81, 82, 83, and 84, Dr. Brinkley states that the cause of failure of these sex glands may be gland paralysis. The gland paralysis may indirectly result from constipation. This would appear to be a violation of Section 10a of the Chiropractic Act. The apparent defense against charges of this violation would be the contention that the booklet is not advertising material or that it is educational material.

Recommendation: That this possible infraction be brought to the attention of the office of the Attorney General or other enforcement agency.

Code No. 1680, Page 38, Business and Professions Code. Unprofessional conduct is defined to be any of the following: * * * (2) The obtaining of any fee by fraud or misrepresentation, * * * (11) The making use of any advertising statements of a character tending to deceive or mislead the public, * * * (15) The employing or the making use of solicitors.

Code No. 2380, Page 69. All advertising of medical business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public morals

or safety constitutes unprofessional conduct within the meaning of this chapter.

It appears that misrepresentation is done by the advertising of Dr. Brinkley in the instance of quoting from the Munro book. Telegram July 21, 1950, from Bartholomew House denying permission to quote was given. (Robert J. Bauer, Los Angeles Better Business Bureau, has information of fraudulent use of quotes from Munro book and the telegram so stating.)

Brinkley has used quotations from the works of a De. McCoy. McCoy Publications deny permission. (Bauer, Los Angeles Better Business Bureau has denial of permission.)

Other quotations used in Dr. Brinkley's ads are only fragments of statements and do not include the entire thought. Brinkley also quotes a chiropractor from the East who is a convicted felon, (L. B. Ruppers, Los Angeles Police Department Bunco Squad has records). It appears that this type of advertising is misleading and deceptive to the public.

Recommendation: That these facts be brought to the attention of the proper authorities for further investigation.

The Chiropractic Act, Section 10, paragraph (a), has no provisions for the governing of any advertising except with reference to the aforementioned curing of malfunctions of sex organs and diseases of sex. It is recommended that a study of the Chiropractic Act be made by the committee to determine the feasibility of amending that portion regulating advertising to include restriction of amount, types of advertising, defining "fabulous and sensational" advertising and defining "educational" advertising as it appears in the Board of Chiropractic Examiners rules.

Section 5. The Chiropractic Act, could be studied to determine feasibility of an amendment to include a provision making it unlawful for any licensed chiropractor to aid and abet an unlicensed person in the practice of chiropractic.

Recommendation: That the Board of Chiropractic Examiners be given greater enforcement powers to govern and regulate the chiropractic practice.

Recommendation: That a hearing of the State Assembly Interim Committee on Public Health be held for the purpose of determining necessary legislation with regard to the above matters.

WITNESSES. POTENTIAL TESTIMONY

The following persons and their offices have files on the Dr. L A. Brinkley, D.C., practice and operations, complaints, and findings. They can be a great help to the Committee on Public Health with their testimony:

Earl Hall, Investigator for the Chiropractic Board of Examiners, Mirror Bldg., Los Angeles. Mr. Hall has received "hundreds" of complaints, has investigated, and has knowledge of the existing paper-lease or agreement between Osborne and Brinkley This agreement reportedly is on file with his office. Mr. Hall can also testify to other hearings on complaints of Dr. Brinkley and his citations before the board.

Dr. Joseph Molle, D.C, Vice President of the Chiropractic Board. He is suggested as a witness because he lives in Redlands, California, closer to Los Angeles than other officers of the board. Dr. Molle can testify

to all activities of the Chiropractic Board with respect to citing Dr. Brinkley, the complaints, the attitude of the Board of Examiners, the restrictions on the Board of Examiners with respect to powers of regulating chiropractors, and recommendations for more powers for the Board of Examiners. He was suggested by Dr. Edward C. Poulsen, D.C., Santa Cruz, formerly President of the Board of Chiropractic Examiners. However, much aggressive action previously was instituted by *Dr. Poulsen.*

Willard W. Percy, D.C, Secretary, Board of Chiropractic Examiners, 1020 N Street, Sacramento 14, California. Same as above. Dr. Percy is probably better informed on past citations of Dr. L. A. Brinkley, D.C.

Bydie S. Woodruff, Investigator, State Medical Board of Examiners, Mirror Bldg., Los Angeles. Mr. Woodruff has a very complete file on this matter. He has conducted extensive investigations and investigated and filed the complaints on John R. Osborne for practicing the healing arts without a license, prior to Osborne transferring the business to Dr. L. A. Brinkley, D.C.

Detective L. B. Ruppers, L A.P.D., Bunco Squad. Has received many complaints. Has record of previous arrests of at least one of Dr. Brinkley's chiropractors used as advertising matter. Has other affidavits of complaining persons. Ruppers turned over some of Dr. Brinkley's B-12 vitamin tablets to Dr. Max Dunn.

Dr. Max Dunn, University of California, Westwood. Received B-12 tablets for analysis. No report has been returned as yet.

Robert J. Bauer, General Manager, L. A. Better Business Bureau, 742 So. Hill St., Los Angeles. Mr. Bauer has documentary evidence to show fraudulent advertising and unauthorized use of quotations. Bauer also has a tape recording of a complainant's statements regarding Brinkley's pressure-salesmanship and the treatments. A four-page printed "expose" of Brinkley's practice has been printed but not realesed yet by Mr. Bauer. This "expose" contains letters and telegrams from concerned parties regarding some of Dr. Brinkley's advertisement claims. Mr. Bauer has gathered data for at least one year and has much background material for testimony.

Dr. George M. Uhl, (M.D.), Los Angeles City Health Officer. Has received many complaints. In most instances the complaints have been forwarded to other offices.

Mr. Duffy and Mr. Shliff, Pure Food and Drugs, 708 State Bldg., Los Angeles. This office has conducted some investigation with regard to the vitamins sold by Dr. Brinkley. Particularly, they can testify to the terrific price of the vitamins sold by Dr. Brinkley's over what the normal retail price is, sometimes like 1,200 percent over the normal retail price.

Dr. Neal, L. A. County Health Officer, 808 No. Spring St., Los Angeles. Has received many complaints

G. P. Sitton, Quarantine Officer, Los Angeles. This officer has direct knowledge of a flagrant case of false diagnosis and treatment by Dr. Brinkley, reportedly the Montez case where a communicable disease was not diagnosed correctly with grave results.

The following were former employees of Dr L A. Brinkley, D.C., at 355 So Broadway, Los Angeles They can offer detailed testimony regarding the general practice at the New Yorker:

Dr. Leo S. Calloway, D. C. 3206 W. 8th St. Los Angeles, California. (See affidavit attached). Can testify to pressure-sales, routine diagnosis,

treatments, financial arrangements, prima facie evidence of control or ownership by John R. Osborne.

Dr. Milton A. Musser, D.C., 1750 No. Kingsley Drive, Los Angeles, Calif. (See affidavit attached.) Musser may be practicing in Fresno at present. Can corroborate Dr. Calloway's testimony.

Dr. Dean L. Bosserman D.C., 1805 Cherokee, Los Angeles, California Reportedly quit working for Dr. Brinkley when he learned he was actually working for John R. Osborne. (July 13, 1949). Bosserman made this statement at Board of Chiropractic Examiners.

Mrs. Case, former New Yorker technician, now a student of physical therapy at U.S.C., Los Angeles. She is the wife of a Los Angeles Police Officer.

Viola R. Jordan, former employee, 1405 No. Coronado St., Los Angeles, Calif.

Other chiropractors who have worked for Dr. Brinkley's are:

Pettingill	Turner
Sockoloff	McDonald
Loftus	L. Paul
Brooks	Hayhurst
Lewis	Sassone

Full names and addresses are on file with Chiropractic Board of Examiners. In order to conceal the impending hearing, the undersigned did not request full data.

The committee may desire to also call the State Board of Equalization person who is competent to determine whether Brinkley has a retail sales license to permit selling of the vitamins and to check on whether Brinkley has met all necessities with respect to the Board of Equalization on retail sales. (The undersigned did not investigate this as it is understood that the Board of Equalization is at present conducting their own investigation.)

The following newspapers in Los Angeles carry numerous and huge display ads of Dr. L. A. Brinkley, D.C. They could testify to the quantity and cost of advertising.

L. A. Times—Glen Peters, Local Display Manager.
Harold Scott, Relief for Peters.
L. A. Examiner—Lee Morgan, Sales Manager.
Alexander Swan, Dept. Manager.
L. A. Herald-Express—Sturges Harmon, Local Display Manager
L. A. Daily News—Harold Lindley, Local Display Manager.
L. A. Mirror—Robert Anderson, in charge of Brinkley account.

Persons in key positions at offices of Dr. Brinkley, D.C.:

Dr. Lynn Andrew Brinkley, D.C., 355 S. Broadway, Los Angeles 13, California.
John R. Osborne, General Manager.
Mrs. Lucille Cummings, Office Manager
Mrs. Miller—Reported to be the wife of Dr. Brinkley, but works, or did work, as a technician under the name of Mrs. Miller.
Mrs. Moore—Technician.
Minnie Smiley—1460 La Salle Avenue, Culver City, California.
Cecilia Doherty, C.P.A., 623 W. Fifth Street, Los Angeles, former bookkeeper for Brinkley, may still be employed.

Former patients and others who have made complaints on Dr. Brinkley, D.C.:

Mr. J. W. Wills, 1345 Ninth Street, San Pedro, California.
Clayton and Mark Johnson, 580 North Lucerne Blvd., Los Angeles, California
Dr. George Silvers, D.C, 1615 W. 7th St., Los Angels, California
(Examined the Johnson's and X-rayed them after they had paid Brinkley over $1,800 for treatments. Silvers' X-rays showed Brinkley wrong in his diagnosis.)
Fred C. Basely, San Diego, California
Raymond Contatine, 225½ East 57th Street, Los Angeles, California
Mrs Ada Harvey, 1128 East 27th Street, Los Angeles, California
Jean Lauritzen and Mrs. Shirley Lauritzen, 1524½ 2nd Avenue, Los Angeles, California
Christina Montez, 1310 Macy Street, Los Angeles, California
William Miller, L. A. Sterilizing Plant, 22nd St, between Main and Broadway, Los Angeles, California
* Mrs. Dan B. Barlays (Widow), 1710 East 105th Street, Los Angeles, California
* Mrs. Edith Mills, 105 Eugenia Street, San Francisco, California (Phone: MIssion 8-5619)
* Mrs. Emily Evans, 657 Castro Street, San Francisco, California (Phone: UNderhill 1-3264)
* The above three women are relatives of Dan B Barlays who died and whose autopsy showed that the death was from malnourishment. He had been placed on a rigid or "starvation" diet by Dr. Brinkley while under treatment.)
Jack M. and Helen Watkins, 2036 Valentine Street, Los Angeles 26, California
Ernest D Herr (See statement attached), 6 Marguerite Street, Alhambra, California
Sherman C. Hillary, 2270 South Beverly Glen, West Los Angeles, California
(Jack J. Hillary, his son, 1615 Westwood Blvd., Los Angeles, California Phone: BRadshaw 2-6161 or ARizona 3-0971)
Carl M. Stavish, c/o George C Bliss, Attorney at Law, 211 So. Beverly Drive, Beverly Hills, California

Respectfully submitted by,

WILLIAM H. YOUNG
Special Investigator

AFFIDAVIT

COUNTY OF LOS ANGELES }
STATE OF CALIFORNIA } ss.

I, Dr. Leo S. Callaway, D.C., residing at 3206 West Eighth Street, Los Angeles, California, first being duly sworn, state that I make the following affidavit of my own free will and accord

I state that I am properly licensed as a doctor of chiropractic in the State of California, having practiced since 1940.

I further aver that upon seeing an advertisement in one of the Los Angeles newspapers L. S. C. on February 23, 1949, requesting that applicants apply at 355 South Broadway, Suite 216, Los Angeles, I answered this advertisement and discovered this to be the "New Yorker," at which time I was interviewed by Dr. L. A. Brinkley, D.C.

During this interview, Dr. Brinkley inquired as to my prerequisites and then stated: "You know this is an advertising office. Have you had any experience in an advertising office?" I stated "No." He said, "You are the type of man I am looking for, due to the fact you are a big man and well dressed. With your passing average of 91.33, state board, you should be able to sell and treat, but selling is all-important." He reiterated that it was an advertising office. He said, "These patients must be sold on

their initial trip to this office. If once they come in, and are not sold a series of treatments, you could never get them back again."

He then explained the procedure he used to be that when a patient comes in for a trial treatment there is a consultation and diagnosis, costing $3. The patient is prepared for treatment and put on a colonic table, then the doctor goes in; and Dr. Brinkley advised that the doctor must find, upon palpating the colon, either an impacted colon, ptosis of the transverse, spastic descendancy, or an impact sigmoid. The patient is convinced at this time that the primary source of the physiological disfunction that exists is caused by the poisonous substance from retained material in the colon, as diagnosed to the patient by the attending doctor.

Dr. Brinkley then advised that the doctor excuses himself and the technician takes over from there and gives this colonic, at the same time informing the patient that six treatments will be $95. There is no mention of vitamins at this time.

I went to work February 24, 1949, and was placed with Dr. McDonald, a senior doctor at that time, for further instructions. Dr. McDonald would take me in to the patient, introduce me, and I would listen to the sales speal by Dr. McDonald, which was the same as to the first treatment Dr. Brinkley had told me.

Immediately after my employment, while watching and listening to Dr McDonald, it appeared the second treatment was a supersaturation of the colon On the third treatment the patient was advised, after taking the blood pressure, that the pressure was high or low—regardless of what was actually found. Also at that time it was recommended that the patient take a course of vitamins for a week in some cases, and up to four weeks in others, ranging in price not lower than $40 50 to $41.50. (These findings as to colon condition, blood pressure and recommendation of vitamins, was a standard procedure.) The doctor received instructions not to state the price of the vitamins, as the technicians would then take over the patient for a full hour, at which time she would have more time to convince the patient of the need for those vitamins.

From my observation, the fourth and fifth treatments were only ordinary supersaturations of the colon; but on the sixth treatment, as a matter of standard policy, the patient was told that he had made progress; that he was not completely well, and that he needed another series of treatments. The regular sales talk given to all patients at this time was that they had an initial investment of $95 for the first six treatments, plus the $40 50 or $41.50 for the vitamins, and that they owed it to themselves to take the additional treatments to thoroughly correct the condition.

Subsequently, during my employment at the New Yorker, until August 13, 1949, Dr. Brinkley would reinstruct and insist that each one of the practices mentioned above be followed, regardless of the patient's need or condition. These instructions were given practically every day, during a staff meeting, with all doctors present in Dr Brinkley's office.

When the patient was sold the second series of treatment, either on the second or third day of that series, they were put on a diet, preparatory to draining the gall bladder—with four ounces of olive oil and four ounces of lemon juice—and at that time they were instructed to pick up

a special bile formula, ranging in price, ordinarily $7.50, and were convinced that that was necessary in order to bring about a condition of correctness to the liver.

The remaining three treatments were similar to those given in the first series, but on the sixth treatment the patient was again advised to purchase the vitamins, in the event they were out of any one vitamin, at the same cost.

This policy of reselling the series of treatments to the patient was made, regardless of whether the attending doctor actually believed the patient needed this treatment or this type of treatment, and was done under instruction from Dr. Brinkley.

The continued sales program was used on all patients and some patients have taken from one to as many as 100 treatments. No patient during my stay at this institution was ever discharged.

On the trial, or the first treatment of the series of six, the patient was given a 10-ounce bag of barium meal to be taken orally 14 hours before their appointment time, so that the emptying time of the stomach would provide for the presence of barium in the colon. When the treatment is given, the patient is put behind the fluoroscope and is told the various conditions that exist, and the doctor then outlines that condition on a sketch of the abdominal cavity, always showing the condition to be somewhat exaggerated that is, ptosis colon or an impaction, a spasticity, or enlarged liver or enlarged heart.

This exaggerated condition is then used as a salespoint at that time, or when the sixth treatment is given, wherein the barium meal and fluoroscope are again used. During the sixth treatment the patient is advised, regardless of the true facts, that they have improved as to whatever their condition may have been first diagnosed, or that slight improvement has been made. This is a standard instruction from Dr. Brinkley.

When I first went to work at the New Yorker, I did not know who owned the establishment. I was suspicious that Dr. Brinkley did not own it, as he had only passed the State Board in 1947, and I doubted if he had sufficient funds to operate the establishment.

Subsequently, Dr. McDonald advised me it was owned by John Osborne. John Osborne, from the time I went to work at this establishment, was present as advertising manager and we were instructed by Dr Brinkley never to call him Mr. Osborne, but to call him John. Brinkley did not explain to me the reason for this instruction, but I subsequently learned that Osborne had been in trouble with the State for practicing medicine without a license.

Shortly after the first of June, 1949, and during this month, Dr. Brinkley did not come to work, and during the first week in June, John Osborne called me into his office and said "Brinkley has let me down. He is not capable of running this office the way I want it run, and I can see that you are. Eventually I am going to cancel Brinkley out." I asked "What do you mean by that?" He said "I have this place leased to Brinkley with a 30-day cancellation clause I am paying him $500 a month, plus 1 percent of the total gross. I withheld the first three months of his commission. When he has the second three months commission coming, I pay him the first three months In other words, he always has three months' commission coming. If I close Brinkley out, I have to pay him that extra three months' commission, so as soon as he gets on his

feet I am going to serve notice on him that I am closing him out and I am going to put you in charge." A few days after that he had some advertising printed, and told me from time to time that he was still going to make this change, but due to the investment in the advertising it was held up temporarily; but while Dr. Brinkley was off, he mentioned it more frequently, and also stated he wasn't going to let Dr. Brinkley down entirely, that he would put him on a pension—enough to cover his current expenses.

During the month of June, at various times, there were meetings held in John Osborne's office, at which various times Doctors L. Paul, Hayhurst, Sassons, Bosserman, and Pettingill were present, and John Osborne stated that the New Yorker might be placed in the hands of various other doctors by Osborne, and that Dr. Gallaway might be in charge at a later time, even though he was temporarily Chief of Staff in Dr. Brinkley's absence. During this period of time we had a staff meeting each day, at which time Mr. Osborne gave the same instructions as hereinbefore set forth, that Dr. Brinkley had given us in regard to sales talk, manner of treatment and operation, including the various guises used, as set forth above.

It is also pointed out that Mrs. Lucille Cummings, who has the title of Office Manager, employs, discharges and gives instruction to all technicians, trainees and operators. It is rumored that she is in partnership with John Osborne in this venture.

The Dierker Colonic Machines, the Battle Creek Health Builder, oscillator, violet ray lamp, Fisher Therm Short Wave machines, are some of the equipment in the establishment The fluoroscope machines were purchased from the Cutler Physicians Equipment Co., 926 Venice Boulevard. The Dierker machines, I believe, were purchased from the Dierker Company by John Osborne.

I further state that my employment started with a salary of $300 per month, plus one-half of 1 percent commission on total gross income of the New Yorker to be effective at the end of 60 days. Subsequently, during Dr. Brinkley's absence, my salary was increased to $400 a month, plus $300 a month basis plus the percentages mentioned I further state my addition commission was paid on a gross business of $70,000 per month by the New Yorker.

The doctors did not receive any percentage on the sale of the vitamins, but Osborne stated that he was going to have manufactured a substitution for Carter's Little Liver Pills, which would sell for $4.50 a bottle and on which the doctors would receive 50¢ commission per bottle. This was not in effect during my employment there and, further, the purpose of this medicine was to make the patient believe he was receiving laxative relief from the colonic treatments.

Also, on the sale of the vitamins, the technicians received 10 percent commission, in connection with a commission of $20 if the patient took a third series of treatments.

During my term of employment the following doctors were fired: Doctors Pettingill, Sockoloff, Loftus, Brooks, Lewis, Turner, McDonald, and Musser. Dr. Dean L. Bosserman and I resigned from this employment.

Also a Mrs. Case was discharged during this period of time. I believe her husband is on the Los Angeles Police Force. I believe she is going to U.S.C., taking a GI Physical Therapy course at the present time.

Being duly sworn, under oath I state that I have examined and read the within statement, consisting of four pages, and that the statements made and content herein contained are true.

/s/ DR. LEO S. CALLOWAY, D. C.

Subscribed and sworn to before W. H. Allison, Notary Public, this thirteenth day of October, 1949.
My commission expires _____.
W. H. ALLISON, Notary Public in and for the County of Los Angeles, State of California.
My commission expires Jan. 9, 1953.

AFFIDAVIT

COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA }

I, Dr. Milton A Musser, D.C., residing at 1750 North Kingsley, Los Angeles, California, first being duly sworn, state that I make the following affidavit of my own free will and accord:

I state that I am a properly licensed Doctor of Chiropractic in the State of California, having practiced since December 5, 1936.

I further state that on or about June 23, 1949, in answer to an advertisement in one of the Los Angeles newspapers, I called at 355 South Broadway and found this to be the New Yorker, and was interviewed on that date by Dr. L. A. Brinkley.

During this interview I gave Dr. Brinkley my antecedent record and qualifications, and was hired immediately. Dr. Brinkley hired me and told me to accompany Dr. Paul when handling patients for the next two weeks, to keep my eyes open and learn his technique. He also told me to forget anything I had learned in Chiropractic College and to merely follow the pattern set by Dr. Paul. The next day Dr. Brinkley was absent. I understood he was ill at that time, and I then talked with John Osborne. John Osborne said "We have an organization here and I happen to be the advertising manager. It will be your first duty to go down to Fowler's Book Store and purchase the book entitled 'Man Alive, You Are Half Dead,' by Daniel C. Monroe, M.D."

I failed to buy the book and the next day Osborne told me to buy the book—that it was our bible and not to come to work without it. (This book sets forth the necessity of vitamins, colonic irrigation, and diet, concerning the health of the individual).

During my conversations with Osborne he told me that I would receive $300 per month and after a 60-day trial period, I would receive one-half of 1 percent commission on the gross income of the New Yorker, which would amount to about $300 to $400 a month. My employment only lasted for 10 days at this establishment.

During this time I was present during three meetings called by John Osborne, at which meetings Drs. Callaway, Brooks, McDonald, Bosserman, Hayhurst, Paul, and Sassome were present These meetings were presided over by John Osborne, who is not a D.C. We were instructed by Osborne that the procedure used was that when a patient came in for a trial treatment, it was to be a consultation and diagnosis costing $3. The patient was to be prepared for treatment and put on a colonic table,

then a doctor went in and upon palpating the colon, he, the doctor attending, must find either an impacted caecum, ptosis of the transverse, spastic descendency, or impacted sigmoid. He said the patient was to be convinced at this time that the primary source of his trouble was caused by the poisonous substance from retained material in the colon, as diagnosed to the patient by the attending doctor

Osborne advised that immediately thereafter, the doctor was to excuse himself and the technician would take over then and give the colonic, at the time informing the patient that six treatments would cost $95, and no mention was to be made of the vitamins at this time.

He also instructed that the second treatment was a super-saturation of the colon, and that on the third treatment the patient was to be advised as to their blood pressure, that is, it was either high or low, regardless of what was actually found. Also, during the course of treatment he instructed us never to raise or lower the blood pressure more than three or five points at any one time, in making our report. (These findings as to the colon condition, blood pressure and course of vitamins was a standard procedure.) Also, on this third treatment it was to be recommended that the patient take a course of vitamins We were instructed that the doctors were not to state the price of vitamins, as the technicians would then take over the patient for a full hour, at which time she would have more time to convince the petient of the need for them.

We were instructed that the fourth and fifth treatments were ordinary super-saturations of the colon, but on the sixth treatment, as a matter of standard policy, we were instructed to tell the patient that he or she had made some progress, that he or she was not completely well, and needed another series of treatments. Also, we were instructed at this time to advise the patients they had an initial investment of $95 for the six treatments, plus the cost of the vitamins, and that they owed it to themselves to take the additional treatments to thoroughly cure heir condition.

Also, during the trial or first and on the sixth treatment, we were instructed by John Osborne that the patient was to be given a 10 oz. of barium meal to be taken orally 14 hours before their appointment time and when the first treatment was given, the patient was to be put behind the fluoroscope and was to be told that various conditions existed, and that the doctor was to outline such findings by using a sketch of the abdominal cavity; that the doctor was always to show the condition more aggravated than it actually existed, that is, a ptsosis colon, spasticity, an impaction, enlarged liver or enlarged heart We were instructed this exaggerated condition was to be used as a selling point during the trial or first treatment and, further, when the sixth treatment was given we were instructed to advise the patient regardless of the true facts, that they had improved or that a slight improvement was made. This was particularly used to sell a second series of treatments.

I further state that I did not know who owned the New Yorker when I first went there to work but it was commonly rumored that it was owned by John Osborne, and I so understood this to be the fact from the various instructions that he gave the doctors.

I also state that when accompanying Dr. Paul during his treatment of patients during my short employment, that the practices described herein were used.

I further aver that at no time during my employment did I hear or know of any patient being finally discharged from the treatment given at this establishment.

I also state that Mrs. Lucille Cummings, who had the title of office manager, employed, discharged and gave instructions to all technicians, trainees and operators, further it was rumored that she was in partnership with John Osborne in this venture.

Also, John Osborne mentioned the fact that he intended to have a substitute manufactured for Carter's Little Liver Pills, which would sell for $4.50 a bottle. The doctors were to receive a 50 cents commission per bottle when they sold them to the patient. This was not in effect during my employment, and I further state that the purpose of this medicine was to make the patient believe that he was receiving laxative relief from the colonic treatments.

Also, on the sale of vitamins, the technicians received a 10 percent commission in connection with a commission of $20, if the patient took a third series of treatments.

Being duly sworn, under oath I state that I have examined and read the within statement, consisting of three pages, and that the statements made and content herein contained are true.

MILTON A. MUSSER

Subscribed and sworn to before the undersigned Notary Public this 20th day of _____ 1949
My commission expires November 3, 1949.
T. E. KEASTRISHOS, Notary Public in and for Los Angeles County

STATEMENT OF MR. E. D. HERR

Taken June 22, 1950, Room 38, City Hall, 9.37 a m.
Present: Sgt. A. W. Shively
Reported by Dorothy E Mesloh

By Sgt. Shively:

Q. For the purpose of the record, would you state your name, please?
A. Ernest D. Herr.
Q. Where do you live?
A. 6 Marguerite, Alhambra.
Q. Do you have a telephone there, sir?
A. Yes, AT lantic 22610.
Q. Did you ever have the occasion to go to 355 So. Broadway to the offices of one L. A Brinkley?
A. Yes.
Q. When was your first visit there?
A. On the third of June.
Q. What was your purpose for going there?
A. To see if I could get some relief from gas pressure.
Q. On your first visit there, who did you talk to?
A. This Dr. Petrene (indicating).
Q. Would you state in substance your conversation with Dr. Petrene?
A. Well, I went there. He gimme a checkup and said right away that he thought he could do something for me and he gave me that trial treatment which was supposed to cost $3.

Q Was that the total conversation that you had with him at this time?

A. Well, he took me into this here room. I guess you call it a fluoroscope. Anyway, he said I had a large heart and a large liver.

Q. Anything else?

A. Well, that—let's see—how was it he brought that in. He said you know—he says, "This trial treatment will cost you $3. $95 is what the fee would be and $50 down. I told him I could not give him no money until I come again. Then I went back on Monday morning

Q. You went back on Monday morning.

A. They washed out my—colonic treatments. Yes, I think I had Monday, Tuesday, Wednesday, and Wednesday I could hardly get home Then they took me on Thursday and gave me another treatment and I was lucky to get home. Then Mrs. Simmons, my landlady, said, "You had better not take any more of those treatments." Then I started trying to do myself up and I have not been back there since. I think it was on Thursday, no I guess it was on Wednesday I made arrangements to pay the balance.

Q. When you say Wednesday, what was the date?

A. It was the seventh, or the seventh or the eighth. I would not say positive I have not eaten anything, only this apple juice. What put me next to them he said he was going to change my diet. That was on Thursday. He went calling off the different vitamins that I was supposed to take. $30 and the government tax. I said, "Now, doctor, you know I told you I was on pension. I cannot pay any money like that." Which I told him in the first place. So then he went on out and said to the nurse that she could explain to me. I don't know what about. But I was through right then.

Q. You keep referring to a card here from L. A. Brinkley, D.C. and Ph.C., at the top of which it has appointment time No. 1, Technician Alexander and immediately below that the name Petrene, indicated as doctor on the card. It seems to be a diet. Is this the diet that Dr. Petrene told you to follow at the time of his interview?

A. Yes.

Q. You followed that diet?

A. Yes, I didn't do anything that I done before that would interfere with his instructions.

Q. You also handed me three bits of paper that appear to be receipts?

A. Yes.

Q. The first one, dated 6-3-50, for the amount of $3 It has trial treatment written on it and the initials "J. O." appear on the bottom. Do you know who this J. O. is?

A. I don't know, unless it would be the lady at the desk.

Q. To whom was this $3 given?

A. To a lady there that gave out the receipt.

Q. It was given on the third of June?

A. Yes.

Q. The second receipt, dated June 3, for the amount of $7, initials "J. O." That was given on the same date and to the same person?

A. Yes.

Q. Appearing on the lower left hand corner there appears to be a balance of $88. Did you subscribe to the full treatment, the total of which was $95?

A. Yes.

Q. The third receipt, dated June 5, for the amount of $43, appears to have initials "E N." in the lower right hand corner. It shows a balance due of $45. Was that given by you to the lady on the desk?

A. Yes, to the lady at the desk. Whoever made the receipt.

Q. You don't know who the initials "E. N." stand for?

A. No.

Q That is the total amount of money that you have paid to L. A. Brinkley, Doctors' Offices.

A. Yes.

Q. At present, you owe them $45 for the completion of the treatments?

A. Yes.

Q. How many treatments did you take, Mr. Herr?

A. I think I took four, beside the trial treatment.

Q. After these treatments did you notice any benefits or ill effects from the treatments?

A. Ill effects because I could not keep anything on my stomach at all. I tried to build myself up so I could go down and see them. Then I got to thinking that it was a gyp game and I would go and take it up with the authorities that should know about it.

Q. You have stated to me that you could hardly get home on a couple of those occasions. Would you be more explicit?

A. It was on Wednesday and on Thursday. On Thursday was when ——

Q. What happened on Wednesday first?

A. I took a bus and came home, got off at Electric. And walked down to the end of the street, the intersection. When I got in the middle of the road I felt nauseated and put my hand over my mouth to keep from throwing up until I got off the street. When I went to the corner of the building there and I emptied myself out. I got into the house and lay down then and the Mrs. says to me, "I am afraid them treatments are too much for you."

Q. You went back to Mr. Brinkley's on Thursday?

A. Yes.

Q. Would you describe what happened?

A. I was just so weak I could hardly make it.

Q. You were not nauseated, but just extremely weak?

A. Until 9 o'clock that night and then I got sick again. Then I really made up my mind to take no more of them treatments.

Q. On Thursday, the eighth of June, was your last visit to Dr. Brinkley's?

A. Yes.

Q. Have you been to any other doctor since the eighth, Mr. Herr?

A. No.

Q. Had you been to any doctor, prior to going to Mr. Brinkley's?

A. No.

Q. This Dr. Petrene endeavored to sell you some vitamin pills, is that correct?

A. Yes, he was going to change my diet.

Q. Did he make a statement to the effect that vitamins were a part of the treatment, in conjunction with the colonics?

A. I don't know how to answer that. Let's see, that day I was on the table there. They were giving me colonics and he said, "I am going to change your diet." He named off several vitamins. Then he mentioned liver pills. And I says to him, "Doctor, how much is that going to cost me?" He enumerated them. He said they would come to $38 and the government tax. I told you, "You know I told you I was on a pension and I can not pay no money like that."

Q. Did you ever have any contact with anybody up there, other than Dr. Petrene?

A. No.

Q. Did you have any conversation with anybody else?

A. No.

Q. Did you meet anybody named Johnson?

A. No.

Q. Did you ever see anyone around with one arm, a heavy set fellow?

A. I don't think so.

Q. This technician listed here on the diet card and whose name also appears on the receipts. did you have any conversation?

A. No, only in regard to the balance I was to pay.

Q. Was it a Miss or Mr. Alexander?

A. A lady who made out the receipts.

Q. Was her title ever told to you, such as nurse or doctor?

A. No.

Q. Has Dr. Brinkley's offices ever billed you or dunned you for the balance due to them?

A. No, I have not been back since. I had Mrs Simmons call up and say I would not be down there on the 9th. They have not called up. As quick as I was able to come down I went to look up wherever was the right place for me to come.

Q. What had been your general health condition, prior to your visit to Dr. Brinkley's?

A. Good, outside of the gas pressure that I had had.

Q. In other words, you felt strong. Your only reason for going to Mr. Brinkley's originally was for the gas condition.

A. Yes.

Q. After taking the trial treatment and four other treatments, what was your general health condition immediately thereafter?

A. I would say it was pretty bad when you cannot navigate.

Q. Please describe it?

A. It knocked the props out from under me.

Q. In what way were you weak, nauseated, is that correct?

A. Yes.

Q. How long was it after the treatments that you became normal again?

A. It was a week.

Q. By a week, you mean until around the 15th of June?

A. Yes.

Q. Is there anything that you would like to tell us now that I have forgotten to ask that you would like to add?

A. Well, only that I talked to that desk sergeant the day I came in, the first day I felt like coming down. He advised me to wait until Mr. Ruppers came back from Chicago. I took his advice. I have not been back to Brinkley's since.

Q. In the event that the district attorney feels that we have sufficient evidence for a complaint to be issued would you be willing to testify in court?

A. I sure would.

(Signed) E. D. HERR

After the committee had reviewed this report by Mr. Young, it employed the services of Spencer E. Van Dyke, an attorney in Los Angeles, and all of the information gathered in the above report together with other information obtained by the committee was given to Mr. Van Dyke, with instructions to prepare the case and subpena witnesses to testify at this meeting.

In questioning the representatives of the various Los Angeles newspapers it was found that Dr. Brinkley had expended the following amounts of moneys to the following newspapers, from January 1st to November 15th, 1950:

[1] Los Angeles Times	$86,235.08
[2] Los Angeles Herald Express	73,550.21
[3] Los Angeles Daily News	37,025.42
[4] Los Angeles Mirror	44,214.70
[5] Los Angeles Examiner	84,184 54
Total	$325,209 95

[1] Exhibit 1.
[2] Exhibit 2.
[3] Exhibit 3.
[4] Exhibit 4.
[5] Exhibit 17.

Mr. Robert J. Bauer, General Manager of the Better Business Bureau of Los Angeles, was called to testify as to the complaints his office had received against Dr. L. A. Brinkley and the New Yorker Technique. He stated that his office had received scores of complaints against Dr. Brinkley by telephone, letters, and by people personally, and testified that because of these complaints an investigation was made by his office, and his report was compiled in the following manner:

COPY

EXHIBIT NO. 5

Better Business Bureau of Los Angeles, Ltd.
1010 Lincoln Building
742 South Hill Street, Los Angeles 14, Calif.
Vol. 3, No. 10—October 11, 1950

BRINKLEY ADVERTISING FALSE!

Advertising of L. A. Brinkley, D.C. is detrimental to public interest; is false and misleading; tends to destroy public confidence in advertising and is unfair to legitimate advertisers of health services. Advices to this

effect have been submitted to newspapers and radio stations by the B. B. B. with the recommendation that Brinkley's advertising privileges be withdrawn.

Currently Brinkley is the largest chiropractic advertiser in Los Angeles. During the week ended July 16, 1950, his advertising occupied more than 1,500 column inches in five Los Angeles metropolitan newspapers and is estimated to have cost $8,700. In addition, he used radio and TV. Continued at the present rate, Brinkley's annual advertising bill will be more than a half million dollars.

Contrary to the claims and implications in the advertisements of L. A. Brinkley, D.C.

1. Rheumatism is not caused by constipation, auto intoxication, or toxemia.

2. Appendicitis is not caused by these things.

3. Neither is gall bladder trouble, high and low blood pressure, kidney and bladder complications, liver disorders, or "practically all the ills of mankind."

4. Residents of Los Angeles are not fortunate in having an office that practices methods formerly used by John R. Osborne and known as The New Yorker Technique.

5. Residents of Los Angeles are not fortunate in having an office that practices the methods of Dr. Charles A. Tyrell.

6. Dr. William Frederick Koch is not recognized as one of the world's greatest cancer specialists.

7. Daniel Colin Munro, M.D., is not associated with L. A. Brinkley, D.C., and Brinkley has received no authorization to quote his book.

8. The Brinkley method of treatment is not "inexpensive."

9. The $3 price advertised for the trial treatment is not typical of the Brinkley charges of $95 for six colonics.

10. The M.D.'s quoted by Brinkley are not employed by him.

11. There is not one licensed medical doctor on the "staff of 16 licensed doctors (all specialists)" mentioned in some of his copy.

The Brinkley type of claim that "practically all the ills of mankind * * *"—starting with acne, anemia, appendicitis, asthma and on through the alphabet to rupture, rectal troubles, rheumatism, stomach trouble, tonsilitis, torpid liver, tuberculosis and vericose veins, to mention a few—"are caused by constipation" is not new but has been thoroughly discredited.

A few years ago such claims appeared in the advertising of a firm which was marketing a colonic device known as the Gordon Detoxifier. In issuing an order restraining the firm from further false advertising, the Federal Trade Commission formally found in part that "statements that appendicitis, asthma, colitis, constipation, excessive fatigue, foul breath, headache, gall bladder complications, high and low blood pressure, indigestion, irregular heart, kidney and bladder complications, liver complications, lumbago, menopause disturbances, muddy or pimply complexion, migraine, nervousness, pruritus ani, rheumatism, sinus trouble, run-down condition, shortness of breath, sleeplessness, ulcers of the stomach and bowels, and ulcerative colitis are almost invariably caused by intestinal toxemia, are erroneous and misleading Essentially these statements are based upon the theory of auto-intoxication, which is now rejected by the consensus of medical and scientific opinion."

The so-called Brinkley course of treatments consists of six colonics, and does not constitute an effective treatment against any of the conditions mentioned except constipation and possibly headaches due to constipation, any more than did treatments wherein the Gordon Detoxifier was used. Brinkley's office does not use that machine, but there is no primary difference between it and the machines his office does use.

In our opinion the primary findings of fact by the F. T. C in ordering the false advertising of the Gordon Detoxifier to stop, clearly disclose the falsity of the Brinkley claims. These findings were that the consensus of medical and scientific opinion rejects the theory of auto-intoxication and, hence, that statements to the effect that appendicitis, asthma, rheumatism, etc., are almost invariably caused by intestinal toxemia, are erroneous and misleading.

Brinkley's immediate predecessor in the use of cure-all colonic claims was John R. Osborne, who advertised in Los Angeles newspapers under the name "The New Yorker." Osborne was located where Brinkley is now located, 355 South Broadway. His price for a trial treatment was $3, as is Brinkley's. His price for a course of six colonics was $95, as is Brinkley's. He advocated colonics as a cure-all, as does Brinkley. Osborne wasn't a chiropractor, as is Brinkley.

The New Yorker

Osborne's advertising over the signature of The New Yorker appeared in Los Angeles newspapers late in 1946, 1947 and up until his arrest on charges of violation of the Medical Practices Act in the summer of 1948. The size of the advertisements increased after he had been advertising a while. The advertising included "treatises" on such subjects as Gallstones, Ulcers, Constipation, Diabetes, Kidney Stones, Bladder, Asthma, etc. These advertisements quoted many of the same so-called authorities who have since been quoted in the Brinkley advertisements. The New Yorker also employed a technique since used by Brinkley, namely, of lifting whole paragraphs from copyrighted books, without first troubling to get permission from the copyright owners Investigation has disclosed that one day the treatise would be a verbatim copy from pages 82, 83, and 84 of the 1926 edition of "The Fast Way to Health," by Dr. Frank McCoy, D C. The next day it would be from pages 35 and 36, and a couple of days later from pages 118 and 119 of the same book. McCoy Publications, owner of this copyrighted material, has advised us that no permission to use the material was granted to either Osborne or Brinkley and that they have objected to this misuse of the copyrighted material.

Osborne Arrested

On June 28, 1948, John R. Osborne, 56, was arrested on six counts of practicing medicine without a license. At that time he was identified as a former federal prisoner who received a 10-year sentence and a $12,000 fine for using the mails in a scheme to defraud in connection with the promotion of Valhalla Memorial Park. He was released after serving about four years on the death fraud In 1938 he was involved in a numbers racket, and the next year admittedly became the operator of "the largest bookie joint west of Chicago."

His arrest in the summer of 1948 on the medical charges proved to be only a minor interlude. Before the summer was over, he plead guilty

on one count, paid a fine of $200,000, and that was it. Newspaper stories said he had admitted to probation officers that he had given 30,000 treatments and that he owed more than $40,000 in back taxes to federal and state governments, repaying them at the rate of $450 monthly. Within days, after Osborne's fine was paid, the New York Technique was being advertised at the same old stand, in the same old way, but now over the signature of Dr. L. A. Brinkley, D.C. Osborne no longer appeared as principal, but only as advertising manager.

Brinkley 1946 Grad

Brinkley, the new advertiser, had graduated from the College of Chiropractic June 7, 1946, and received his state license August 23, 1946, approximately two years before becoming the titular head of the New Yorker Technique colonics irrigation institution which now bears his name.

Died 32 Years Ago

Sometimes Brinkley's advertising states "Residents of Los Angeles are fortunate in having an office that practices the methods of Dr. Charles A. Tyrrell." Actually, the opposite is true. We dislike digging up skeletons, but that is figuratively necessary in the case of Tyrrell because he has been dead for 32 years. Brinkley advertising refers to Tyrrell as "of national fame" and sometimes as " the world's greatest advocate of this method." Before he died the A. M A. exposed him as a quack. When Brinkley quotes him in his advertisements, he is likely using statements issued by Tyrrell when many, many years ago he was peddling the J.B.L. (Joy, Beauty, Life) Cascade, for the self-administration of rectal enemas. Born in 1843, Tyrrell received a diploma from the Eclectic Medical College, New York, in 1900, at the age of 57. Soon, he claimed to have originated a theory of "Disease and its causes " Here it is: "There is only one disease, but with many manifestations. There is only one cause for disease and that is auto-intoxication." A pamphlet on mechnical nostrums by the American Medical Association many years ago, in discussing Tyrrell, said: "Whether the theory was devised as a convenient accessory to his exploitations of the Cascade and the patent medicine that goes with it, or whether it is merely an indication of stupendous ignorance, makes little difference; it is bizarre and fantastic to the point of silliness."

A typical Brinkley ad says: "Dr. Tyrrell declares: 'There is only one cause for disease.' This may sound strange, for the majority of people imagine that there is a different and specific cause for every ailment, and physicians generally do not * * * "

Tyrrell claimed that the "J B.L. Cascade" was invented by him. The records of the patent office at Washington show that the device was invented and patented by one H. M. Guild who assigned the patent to the Tyrrell concern.

Tyrrell was also president of the concern that peddled the "Ideal Sight Restorer" as a cure for most eye ills. Advertisements for it said: "Cures not only the refractory errors of the eye—near sight, far sight, old sight and astigmatism—but also such dreaded diseases as cataracts, glaucoma, cross-eye and paralytic blindness." It was a piece of tubing with a rubber bulb attached, for the purpose of producing a partial vacuum over the eyeballs. Dr. Tyrrell's advertising, like Dr. Brinkley's,

included testimonials. An A M. A. pamphlet tells about one of Tyrrell's Cascade testimonials, from one Reverend Walter W. Kent, Cincinnati, "Chaplain First Ohio Infantry U. S. V. R. and also ex-President Mt. Lookout Businessmen's Club." Reverend Kent's "testamonial" (spelling original) said, in part: "I often suffered with nervous headaches from brain fag, like most literary people and thinkers do."

Tyrrell is the man Brinkley says is the "world's greatest advocate" of his (Brinkley's) methods; obviously a great authority.

Brinkley's advertising repeatedly quotes Dr. William Frederick Koch and describes him as "one of the world's greatest cancer specialists." *Time* Magazine ran this story about him September 6, 1948:

"THE KOCH METHOD

"Dr. William Frederick Koch pronounces his name to rhyme with joke. His patients have found very little to laugh at in his practice—which is bluntly described by the Journal of the American Medical Association as 'Koch's cancer quackery'—though the families of his patients have often seen the point, too late. For years the Federal Food and Drug Administration has had a suspicious eye on Dr. Koch. But last week he was still doing business at the same old stand: his Koch Foundation, an old brownstone house on Detroit's East Jackson Street. And Dr. Koch's business was still brisk (about $100,000 a year).

"Ever since 1919, a year after his graduation from a reputable medical school, Dr. Koch has been peddling 'cancer cures' (*Time*, December 10, 1934; April 20, 1942). In 1942 he and his office manager brother Louis were indicted for introducing a misbranded article into interstate commerce. The jury disagreed. The second trial, in 1946, ended when a juror became ill

"For $25 (sometimes a bargain rate of $15), testimony showed, Dr. Koch sells a two-cubic-centimeter ampoule of a drug he calls 'glyoxylide.' Until the law began reading them, the labels promised cures for 'cancer, allergy, and infection.' Food and Drug accuses him of claiming to cure 'practically all human ills, including—tuberculosis.' Glyoxylide, according to Dr. Koch, is the 'internal anahydrides' of glyoxylic acid. Chemists know all about glyoxylic acid, but they never heard of anybody having isolated its internal anhydride. Food and Drug Attorney William W. Goodrich said government chemists could find nothing in it but distilled water, called it a 'formula for nothing.' The government's parade of witnesses gave some shocking testimony. They had, they said, followed Dr. Koch's instructions in treating cancer patients: first a 'detoxicating regime' of enemas and a diet of fresh apple and vegetable juices, then injections of glyoxylide. Koch insisted that no other drugs be used except 'the smallest amount of morphine by mouth only.' Many of the victims might have died anyway, but his instructions denied them even enough morphine to ease their pain. An osteopath told of trying the Koch treatment on five cancer patients (including his wife); all died.

"Last fortnight the federal court was asked to *nol-pros* the case. Koch, the petition said, has changed the labels on his drugs; they no longer claim a cure for anything. The Food and Drug Administration

will continue to keep a suspicious eye on Dr. Koch. But interfering with his $100,000 business will not be easy; Koch is, says Lawyer Goodrich, 'probably the smartest, brightest quack in the U. S.' "

—*Courtesy of Time*
Copyright *Time, Inc.* 1948

Frequently Brinkley copy has this paragraph: Dr. F. E. Chidester, A.M. PH.D., says: "Two of the most distinguished cancer experts in the world (one British and the other American) have furnished evidence that not only rectal cancer but breast has been cured in hundreds of cases by relieving Intestinal Stasis."

Who is this Chidester? Some years ago the Bureau of Investigation, American Medical Association, wrote: "F. E. Chidester of Toronto is a Master of Arts and a Doctor of Philosophy, but not, so far as our records show, a Doctor of Medicine. Some of his writings include statements which do not have adequate scientific background, in the opinion of this bureau. For example, in his article in *Liberty* for September 9, 1939, 'Science Fights Cancer With Diet,' he recommends substituting sea salt (dulse, seaweed) for iodized salt, and lists 'occasional sea salt' and 'appropriate amounts of sea food' under the heading 'These Things Help to Prevent the Onset of Cancer'."

Chidester also wrote a book on "Nutrition and Glands in Relation to Cancer," which was mentioned in the advertising of a firm selling patent medicine.

Brinkley's advertising frequently contains the following statement: "Dr. Alcinous B Jamison, M.D, noted intestinal specialist, says: 'Twenty years as a specialist in diseases of the lower bowels have demonstrated to the writer that chronic inflammation, and often ulceration of the rectum and sigmoid flexure, in 29 cases out of 100, are the causes of chronic constipation and the long army of ills resulting from it!' "

Actually, Jamison does not "say" anything. He has been dead for 12 years. During his lifetime he appears to have written literature which was put out by at least two concerns selling rectal enemas, and he wrote a book called "Intestinal Ills" which was issued by the Tyrrell Hygienic Institute, another business of Dr. Charles A. Tyrrell, referred to before. About the same time, another concern in the same line of business, calling itself the Eager Colon Cleanser Company, issued an advertising brochure puffing its enema and entitled "Dr. A. B. Jamison's 16 Reasons Why the Internal Bath."

While we haven't found the article from which the Jamison quotation used by Brinkley was taken, it seems likely that it may be from some of the early advertising of Tyrrell or the Eager Colon people.

Daniel C. Munro, M.D., has been quoted in advertisement after advertisement by both Brinkley and Osborne as saying: Daniel C. Munro, M.D., says: "If I were to write the story of all the cases in which my method seemed to lift the patient from the very jaws of death it would fill volumes."

This is almost a verbatim quotation from page 161 of the book "Man Alive, You're Half Dead," written by Daniel Colin Munro, M.D., and copyrighted by Bartholomew House, Inc. Actually, Brinkley has substituted "my method" for the words "enemas and colonic irrigations." The point is, however, that Bartholomew House, Inc., has wired this

bureau: "L. A. Brinkley has no authorization to quote Munro book 'Man Alive, You're Half Dead.' Would appreciate your stopping unauthorized use of copyrighted material." It is also pertinent to note that in other places in Dr. Munro's book he recommends that you consult a physician; Dr. Brinkley is not one and, as far as we know, his establishment has none.

Brinkley advertising repeatedly contains the statement: Dr. Kellogg, M.D., of Battle Creek Sanitarium fame, says: "That these measures are successful has been demonstrated by the experience of the Battle Creek Sanitarium where they have been systematically employed in the treatment of more than one hundred thousand invalids."

Actually, Dr. Kellogg is dead. He doesn't say anything, and never commented upon Brinkley's methods as he was dead before Brinkley became a chiropractor.

Not Inexpensive

The opinion of patients who have filed complaints with the Better Business Bureau is at variance with Brinkley's claim that his treatments are inexpensive The patients don't think that $95 for six colonics is very cheap. But that isn't the end. After the patient has had three or four colonics an attempt is made to sell him vitamins for $21 to $40. When the course of six treatments has been completed, attempt is made to sell another course

It is hard to believe, but some patients have paid literally hundreds of dollars for treatments at the Brinkley institution. One man reported to the bureau he had paid a total of $885; one paid $250; another $380; $838.69; etc

Commission Basis

Disgruntled former employees of the establishment, both chiropractors and those serving as nurses, have voluntarily come to the bureau and supplied sworn statements, regarding the high pressure sales methods employed in the establishment. The chiropractors swore that they were paid on a salary plus commission basis. The nurses said they were paid a salary plus commission; no commission on the sale of the first course of treatments, but 20 percent on the sale of vitamins and 20 percent for resale on the $95 course of colonics. In addition to these sworn statements filed with the B B. B., an inspection of complaints filed with the State Labor Commission discloses the existence of the commission scheme.

Treat or Treatment

The B. B. B is not informed as to whether the music which is played while the patient is getting the colonic is part of the therapeutic treatment, or a part of the selling effect. In either event, sources consulted consider it a new accessory in the chiropractic kit.

"Shear" Authorship

The "author" of the Brinkley advertising does most of his composing with a pair of shears, rather than a pen. As a result, the headlines frequently have little or no relationship to the text of the copy. The headline offers to explain the causes of cancer, then the text goes on to discuss its symptoms and what somebody said about colonics. It doesn't explain its causes. This might be a little difficult in view of the fact that

in spite of the millions of dollars being spent in research, the causes are still in the suspect stage.

Or the headline may say "The sick are healed as if by magic" and the subheads list arthritis, diabetes, etc., and the second subhead may say: "Amazing testimonials—many diagnosed as incurable."

Confusing

It's a little confusing when you read such ads, if you go on through the text, because there may be nothing more said of healing as if by magic, or what happened to the people who were diagnosed as incurable, or who diagnosed them as incurable.

Both dead and live people who have never heard of Brinkley are quoted in ways which might lead readers to believe they are connected with the institution. Some of them are quoted in ways which might lead the reader to believe they are talking about Dr. Brinkley.

Unfortunately, the scissor authorship producing the Brinkley copy not only produces confusion but deception.

Irate Readers

Some newspaper readers, who are not patients of Brinkley's, have become irate about the continuing appearance of such copy. Wrote one such reader, complaining about a Brinkley advertisement headline which stated: "Constipation. 100 consecutive deaths predicted by noted physician. 90 percent died within a week after prediction." Said this reader: "I consider it the most disgraceful thing I have ever seen. The headlines imply, purely by juxtaposition, that a noted physician predicted 100 deaths from constipation, of which 90 died within a week. This might terrify the average person (who is so easily moved by headlines) into patronizing the advertiser. The body of the advertisement, of course, said that these persons died of a wide variety of conditions. I consider the '(newspaper)' to be equally reprehensible in accepting and printing this atrocious rubbish "

Upon examination Graham P. Sitton, Senior Communicable Disease Inspector and Special Health Officer of the County of Los Angeles testified as follows:

"On November 10, 1949, a form was sent through to our department stating that a patient by the name of Ernesta Griego, a Mexican, 28 years old, had left a sanatorium, which was Olive View. She had a positive sputum, was diagnosed as far advanced active tuberculosis. We considered her in a communicable state and our department was ordered to find her. The notation was to isolate her in the home or wherever found, and through various channels I located her on November 30, approximately 20 days later, living in the home of her mother. I served with an order of isolation confining her to those premises. Her husband was present at the time. He said that since she had left the sanatorium they had gone to Dr. L. A. Brinkley, and he showed me a receipt of $95. This receipt was signed by a Dr. Hayhurst. I took the signature from the receipt. This is the information of the husband, and the wife verified it. They had told her that she had no T.B. at all, and that the Health Department had been giving her pneumoperitoneum, which was air given through the stomach by needle, and that had turned her intestines upside down, and unless she went through the series of treatments of colonic

massages that she would die in a very short time. He said that they had given her either five or six, but she had to have more. I told her that she was not to leave the house for any reason whatsoever, and if necessary we would put an officer on the front and back door to see that that order was kept. I told the husband that he was free to go and consult this doctor if he wished, that I would make a report of it, and that the only way they could go back to this doctor's office and see him was by written pass from our department. I went back and made the report to the office, and five days later we obtained a bed for her, an emergency placement, and took her to Elliott Sanatorium in Duarte. And at the time that she was picked up, I was accompanied by the Quarantine Officer from the City of Los Angeles, due to the fact that she was in the city at that time and we wanted no slip-up on technicalities. The husband said that he had been back to consult with Dr. Brinkley's office, and they told him that there might be a little T.B. there. He informed them of all that I had said. He showed them a copy of the isolation order I had served on the wife. This girl stayed in the sanatorium a short time, and she left there, and a warrant was issued for her arrest, and again we attempted to locate her and take her into custody, and found she had gone to New Mexico. As required by our law or county ordinance, we had to notify the Department of Health in the State of New Mexico. They made an investigation, and I can read you parts of the letter they returned to us, which would be of interest, I think. She was located in Las Cruces, New Mexico. It says: "The main points of our nurse's investigations are that Mrs. Griego expects a baby, and she is apparently in fairly good health; she preferred a home delivery at her sister's home here rather than have a hospital delivery in California. This appears to be the main reason why Mrs. Griego left. In addition, Mrs. Griego advises our nurse that she has a statement from Dr. Brinkley, 355 South Broadway, Los Angeles 12, California, indicating a negative sputum, and he told her verbally that she was a closed arrested case of tuberculosis."

"That is the information that we received from the State Board of Health in New Mexico. We haven't located her at the present time. We have reason to feel that she may be back here in California. She may be under Dr. Brinkley's care. I have no knowledge of that.

"The next time that I ran into a similar situation was when I was ordered to pick up a man. I can't find him in my files here. We had another copy. That come through the office made out on April 6, 1950 and reached our office a little later, approximately a week after, to pick up a man in the City of LaVerne, 1983 Sixth Street, LaVerne. The background of this case was that he had a positive sputum on March 3, 1950. He was diagnosed as pulminary tuberculosis, far advanced, active. They sent two men out to pick this man up and place him in a sanatorium; due to his background with two years in San Quentin and two years in Folsom Prison, we thought we might have a little trouble. He recognized the authority, so there was no trouble except that he could not understand why he had to be isolated in a sanatorium due to the fact that he had gone to Dr. Brinkley's office on March 28, 1950 and returned there three days consecutively for treatment. Dr. Brinkley told him he did not have T.B. He took two sputum tests which were negative. He also took a fluoroscope and said there was nothing there in his system except some poison, and there was no T.B. that he could find anywhere. He

was charged $85. He said if he continued treatment he would cure him. This man gave us the information he had seen the advertisement over television. I myself had paid no attention and seeing none of these advertisements or have heard anything about them. My only connection is when I run into them with these patients. I reported back to my office of this fact, and we placed the man in quarantine in a sanatorium out in Duarte."

Dr. Leo S. Calloway, D.C., upon examination testified as follows:

Q. Are you duly licensed as a doctor of chiropractic in this State?

A. Yes.

Q. When were you so licensed?

A. 1940.

Q. Are you acquainted with Dr. L. A. Brinkley?

A. Yes.

Q. When did you first meet Dr. Brinkley?

A. In February of 1949.

Q. What were the circumstances under which you met Dr. Brinkley?

A. Dr. Brinkley offered me employment in his office at 355 South Broadway.

Q. Did you solicit this employment or did you answer an ad?

A. I answered an ad.

Q. Were you employed as a member of Dr. Brinkley's staff?

A. Yes.

Q. Now, during your interviews with Dr. Brinkley prior to the time that you were employed, what conversations did you have with Dr. Brinkley regarding your qualifications?

A. He offered me employment at $300 a month basic pay for the first 60 days, and then $300 per month after that, plus one-half of 1 percent commission.

Q. And do you remember what date you went to work there?

A. February 24, 1949.

Q. And when you first went to work there, did you have a discussion with Dr. Brinkley about the New Yorker technique?

A. Yes.

Q. Prior to this time had you ever had any connection or did you know anything about the New Yorker technique?

A. No.

Q Did you discuss the New Yorker technique prior to the time you were hired by Dr. Brinkley?

A. No.

Q. When did you first discuss the New Yorker technique with Dr. Brinkley?

A. At the interview in February of 1949.

Q. This was after you were hired?

A. Yes.

Q And what discussion took place?

A. Well, Dr. Brinkley informed me at that time he needed a salesman more than anything else, that chiropractors were a dime a dozen, but what he needed was salesmen at that time, and when the patient came in he stated to me it was through his ads in the paper, and that it was lure advertising In other words, they were lured in there on their advertising,

and that the procedure was to be able to sell the patient on a series of treatments after their initial treatment of a $3 trial treatment. He illustrated quite elaborately on the process for which he wanted me as an employee, that the patients come in there answering the advertising, and that patient was to be diagnosed as per his setup or his routine there. They were to be found constipated and either high or low blood pressure, they had cholostitis, or they had anteritis, which is inflammation of the lower bowel; they had a sluggish liver or an enlarged heart, etc , anything to fill out the comments at the bottom of the examination, and that patient was to be so impressed at that time that they would be induced later on in the treatment room as to where they would submit to a series of six or more treatments at $95 a series of six. The initial treatment cost $3. At that time they were to have a physical examination made on this patient. Then the doctor would turn this patient over to the technician, and she would impress upon his mind or her mind that it was necessary for them to submit to a series of six treatments to correct this condition, and after that first treatment—the first treatment or the trial treatment is known as the cleanser—then when they come back for a series of six treatments. The first treatment was known as the super-saturation, and during the treatment or during the first treatment this patient was to be introduced to the doctor who was going to administer the treatments there, and he was to make a brief "pitch," so they call it, at that time, and then he or she was to be turned over to the nurse or the technician in charge, and they were to drill the fact that this patient needed these treatments in addition to the vitamin therapy that went with it.

Q Now, Dr. Calloway, at the time you were interviewed, were you interviewed by anyone else in this office other than Dr. Brinkley?

A. No, not at that time; shortly after.

Q. Did you have any discussions with John Osborne?

A. Yes.

Q. And what was stated at these discussions?

A. At that particular time, just prior to my interview with John Osborne, I happened to go through the same college that Dr. Brinkley did prior to his graduating, so I asked him the first day I was in his employ there, "Dr. Brinkley, you either had a lot of money, or you got off to a flying start. How come you have a place like this?" The patients were flocking in there by the dozen at that time. To the best of my recollection, they were running approximately $35,000 or $40,000 a month gross at that time He said, "Calloway, I have bright futures for you." I said, "I am glad to know that." I said, "What do you mean by that?" He said, "I don't know whether you know the story or not, but Dr. Brinkley doesn't legally own this institution." He said, "I do." And he said, "If you stay with me—"

Q. Right here let me ask you about when this conversation took place.

A. That was around the 26th or 27th. It was on or about the 26th or 27th of February.

Q. Where did this conversation take place?

A. In the hall outside of the consultation room.

Q. Was anybody else present?

A. No.

Q. Continue on.

A. So I go back to Brinkley again, and I ask him, "What is the score here, Dr. Brinkley?" He said, "Well, as I told you, it is a deep, dark secret." And I said, "Well, more power to you." I said, "You have a good business here I hope I can become one of your staff," and not knowing at that time what the situation was. So as time went on, they had a doctor there at that time. I don't know whether he is there now or not—Dr. McDonald. So I tried to pump Dr. McDonald what the score was. He told me that Brinkley was only a name at that time, that Osborne really owned it. Then he told me about Mr. Osborne being arrested for practicing medicine without a license.

So shortly after that, well, I was put on the floor at that time in a selling capacity. Shortly after that Brinkley put me in the front office as a diagnostician, and he seemed at that time to be very impressed with my manner of sales.

Q. What did you do as diagnostician?

A. Well, the patient came in there as answering the ad, and we made a diagnosis—objective diagnosis—of the symptoms that we could observe from the patient in what they told us. And it seems as though sales started going up at that time, and Brinkley gradually slackened off on his consultations with the patients and left me in the office permanently as diagnostician It was my duty to sell the patient on the idea that they needed these treatments.

Q. You are referring to the six colonic treatments?

A. Yes, the trial treatment and the following six treatments. It had to be some one why had a psychology with the patient that they were in need of these treatments. I don't know whether you have any way of tracing down this record. It seems after I went into the office, that business started getting better. It wasn't long after that that Brinkley evidently took down with a heart attack. We will say that is what it was. In other words, the grapevine news was that he was off on a big drunk.

Q. Who told you that?

A. Mr. Osborne. At that time he made me chief of staff.

Q. Who made you chief of staff?

A. John Osborne. And there was some literature or correspondence went out, and in fact it went to the State of Arizona over my signature as Dr. Leo S. Calloway, chief of staff, at which time I questioned him about the authenticity of that, and he retracted that and cancelled the correspondence. At that time he was trying to put over what was known as the applicator. It was more or less of a, well, you would call it an enema bag, and I objected quite strenuously to my name being used in the manner in which he was advertising to a state that I wasn't licensed in. I happen to be licensed in the States of California and Missouri. So Dr. Brinkley was called in and asked his advice on it. He said, "Well, if I was in his position, I wouldn't go for it either." So then two or three days after that, Mrs. Cummings, who is supposedly Osborne's partner in business—Lucille Cummings——

Q. Does she work there?

A. She is his business manager or so he says.

Q. What does she do?

A. She has charge of the office force. So she called Dr. Brinkley and myself into the office and said she didn't want any part of it and she

didn't want the embarrassment of going before the postal inspectors again. Osborne told us he had been in better penitentiaries in the United States that had rugs on the floor, and so I inquired about that; come to find out he had been in the Valhalla Cemetery scandal, and he had done a hitch in Leavenworth or somewhere like that. So I became curious about the whole thing, and as time went on Brinkley did come back, and I still had the title of chief of staff, and it was looking blacker and blacker all the time as per my license in the State of California. So I hired this Dr. Bosserman. I forget what his first name is.

Q. Dean L. Bosserman?

A. Yes, from Hollywood, and Dr. Bosserman was quoted by Mr. Osborne as being a fast and fancy talker. So we had to serve a 60-day probationary period there before we went on the one-half of 1 percent commission. We were on the $300 a month base pay until we served 60 days, and then we went on the one-half of 1 percent. At that time the total gross was mounting by the thousands. I think our total sales when Brinkley took down sick, the total gross sales were around 22 percent, and they went as high as 64 percent or 74 percent before he came back.

Q. Do you have the records?

A. I have records in my bill fold. Osborne raised me from $300 to $400 a month base pay.

Q. When was that?

A. After Brinkley took down sick. I think that was in June. Then he wanted to lengthen the hours, and he raised me from $400 to $450, plus one-half of 1 percent.

Q. Who did you have the conversation with when your salary was raised.

A. Osborne.

Q. Did you talk to Brinkley about it at all?

A. He wasn't there at that time.

Q. You talked to Osborne?

A. Yes, I talked to Osborne. At that time Osborne promised me the place that Brinkley had, and he said he was paying him $500 and 1 percent of the total gross.

Q. He was paying Brinkley that?

A. Yes, $500 a month and 1 percent. The way the gross was at that time it would raise my pay to about $1,100 or $1,200 a month. He said he wanted to make me independently wealthy if I stayed with him.

Q. Were you offered Brinkley's place?

A. Yes. But shortly after that, within a period of three or four days, he came out with the pamphlets. I forget the title of it now. Anyhow, he told me he had around $7,000 or $8,000 tied in that and couldn't cancel it at that particular time, and was going to pension Brinkley off, and was going to give Brinkley his current expenses, plus a pension for the rest of his life, providing I would take over where Brinkley left off.

Q. About when was this conversation?

A. That was possibly in the latter part of June or May or the first part of June.

Q. Where did it take place?

A. In 355 South Broadway, in Room 210 at that time.

Q. In Osborne's office?

A. Yes. So it went on for possibly two weeks after that, and I asked him, "What are you going to do with Brinkley?" At that particular time he said, "Brinkley is going to be back here, but only on part-time. Things are going exactly like I like them, and I don't want you to clash with Brinkley, or I don't want you to take one word of orders from Brinkley. If he issues orders to you, he is just a name here. You refer him to me, and I will straighten the whole thing out." Brinkley came back, and possibly the second or third day he was there he started giving me orders. I mentioned it to Osborne. I said, "Brinkley wants this done, and he wants that done." He said, "Pay no attention whatsoever to Brinkley." At that time I had hired Osborne, I had hired Hayhurst——

Q. You said you hired Osborne.

A. I meant I hired Bosserman, I had hired Hayhurst, and I had hired Sassoni and several other doctors there at that particular time, and I was in full charge, and Osborne ordered these "pep talks" held periodically, possibly three times a week in my office and in the consultation office and was giving complete instructions at that time.

Q. Who gave instructions?

A. Osborne.

Q. What were they?

A. They were all "pep talks" in sales. There were too many people coming in and taking the trial treatment and no more, and those who took the series of treatments were not taking the vitamins. We had one salesman—Dr. Paul—there who I think had the top record at the time I was there. I think it ran around $300 and some odd dollars in sales in vitamins in one day. That was Dr. Paul. And then there were several technicians that were let go at that particular time, and I had to administer the bad news of their severance with the institution. I think you have some in there in the Better Business Bureau record. Miss Jordan was one. I would have to refer to those names of the employees there at that time.

Q. Dr. Calloway, on these new doctors that were hired for the staff, what instruction was given them with regard to the so-called New Yorker technique prior to the time that they did work on patients?

A. They came in there, and they were told a trial treatment consisted of a colonic and a physical diagnosis at that particular time which was blood pressure and hemoglobin test, and Bursminsky, and they were to be escorted to the waiting room at that particular time.

Q. What does that test mean?

A. It is a nerve test for syphilis.

Q. Anything else?

A. No, not at that particular time. They gave a percussion test for enlarged heart at that time. Then they escorted them to the treatment room where they were disrobed and given a gown, and they were put on the Dierker colonic table.

Q. What was that?

A. That is where they get the colonic irrigation. Then the doctor on the floor that was assigned to a certain number of technicians, either two, three or four, was called at that particular time, and he made an abdominal palpation. He was instructed always to find an impacted colon starting with the cecum.

Q. Were you ever so instructed yourself to find that?

A. Yes, by Brinkley at that particular time. When Brinkley was doing the consultations there, we sat in on as many as a half-dozen or more consultations to get the routine which he had adopted. Then we found an impacted cecum, a transverse colon, a spastic descending colon and there on down. Then we always found a little tenderness in the gall bladder area known as cholostitis. To dwell on that they were told it was unnecessary to cleanse that colon. Now, the doctors on the floor had a routine manner in which they adhered to that the colon was—the large colon was—twenty-two feet six inches, and the small colon was six feet four inches. They had to be properly cleansed in order to rid the colon of auto-intoxication, of which the fecal material was throwing off this toxic poison. It was primarily the cause of all disease. But it was built around a complete sales talk, and if you didn't sell that patient, you were called on the carpet by Osborne, not Brinkley. You were reprimanded as being a poor salesman, and you would have to better yourself in order to stay in the organization.

Q. Did Osborne ever tell you what you must find?

A. Yes.

Q. Did he tell the other doctors in your presence what you must find?

A. Yes, because every doctor that came to the consultation office was broke in on this routine findings. First you started off with constipation. Then you either checked for high or low blood pressure. Then you checked for cholostitis, and then auto-intoxication, and then vertigo. Then you checked for nervousness, but you had to fill out the comments at the bottom of the examination sheet completely in order to give the doctor something to sell after they got into the treatment room.

Q. Well, Dr. Calloway, what is your definition of the New Yorker technique after working there?

A. Do you want a simple and brief to the point explanation? A racket.

Q. What I am trying to find out, Dr. Calloway, is what the New Yorker technique consists of.

A. It consists solely of a colon irrigation or a super-saturation as they diagnose it after you start your series of six treatments. The first treatment is known as a cleanser. Then after that the same treatment exactly is known as a super-saturation, plus vitamin therapy, and if it is asked for they will give you a chiropractic adjustment.

Q. At the time you were there, how many other doctors were employed there?

A. At the time I was there, I think they had Dr. Sassoni, Dr. Paul. Dr. Hayhurst, Dr. McDonald, and Dr. Paul someone. I forgot what his name was.

Q. Just about how many?

A. About six besides myself.

Q. And when did you discontinue your employment with Brinkley?

A. Saturday night as of August 13, 1949. My reason for leaving there was due to the fact that Osborne had called me on the phone incessantly and wanted me to get Bosserman back, because he was a super-salesman. When I contacted Dr. Bosserman, he told me he would come back providing I was his immediate supervisor, and he didn't want to

have anything to do with Osborne or Brinkley. He said he would come back and take care of consultations. When I called Osborne, he said he couldn't do it because of the legal technicalities involved there. He said, "I can't have a part of it." I said, "If you can't have Bosserman back, I won't come back Monday morning myself." I was drawing at that time above $700 a month.

Chairman Connolly: You said in the early part of the time that you were there they were taking in $35,000 to $40,000 a month gross?

A. Yes.

Chairman Connolly: It increased after that?

A. Yes.

Chairman Connolly: Do you know off-hand, or do you have some approximation as to what the gross was about the time you left?

A. I think I could find it for here, sir. I have got it here somewhere. My last month I think it was better than $70,000 a month, somewhere in that neighborhood. I have the check stubs here.

Chairman Connolly: In July presumably?

A. Yes. I think in July that the colonics ran—No, this was in June possibly. The colonics ran $48,914.55. The refunds on that during the month was $306. The net was $48,608.55. Now, there were some side sales made on diathermy of $170. The vitamins at that time ran $9,905.95, and the spray tips for these enema bags ran $692.65, and the sales tax for that month was $309.98. So that left a balance of $59,506.94. My commission besides my salary for that month was $295.28. Dr. Hayhurst drew $295.28, and Dr. Paul drew $295.28. I think I have some more here.

Chairman Connolly: That answers my question, Doctor. I just wanted some approximate figure as to the gross at about that period of time.

A. Then it advanced after that to around $70,000 some odd dollars. In fact, I had to take them to the Labor Commission to get the last $152 and some odd cents that I had coming, due to the fact that I had quit there because of my own volition. Brinkley told me at the time I picked up my instruments and things of that nature that he didn't pay a commission on less than 30 days, so I took it to the Labor Commission, and they ruled in my favor, and they gave me a commission of $152 and some odd cents.

Mr. Rumford: Dr. Calloway, while you were chief, were you interested in the welfare of the patient, or were you trying to make money for the institution itself?

A. Well, at the time I thought possibly there could be some good done there, because Osborne had explained that was to become the largest institution in the world of its kind, that he was sending Brinkley back to Chicago and possibly myself to see that Brinkley stayed sober during this course of education back there in the treatment of cancer, that he intended at that time to open an office in San Diego, one in San Francisco, possibly one in Dallas, Texas, and Lord knows where else, that I was going to be in charge of all the foreign offices, because I didn't mind leaving the State of California. I was in such a position at that particular time that I could be away from home. He was going to put me in charge of the foreign offices outside of Los Angeles. He wanted Brinkley here. So it looked like at that particular time I was going on a much increased rate of salary and a much increased rate of total gross percent in which I would top

Brinkley. That was Osborne's intention at that particular time. It seems as though Dr. Brinkley had a tie-up with him financially and legally, and that he couldn't get around as well as advertising, because he just put out $7,000 worth of advertising at that time in the form of pamphlets. So it went on from time to time, and Brinkley finally came back to work. Brinkley and I didn't get along. Osborne told me not to take orders from Brinkley, and Brinkley was not to take orders from me, and there was a dissention there. So when Bosserman said he wouldn't come back providing I couldn't be his immediate superior, then I just told Osborne I wouldn't be in Monday morning.

Mr. Rumford: On a whole, the atmosphere was one of trying to make money for the institution, not trying to do very much really for the patients?

A. That is right.

Mr. Rumford: Did you say anything about the type of pills or the type of vitamins that were given?

A. Well, ordinarily speaking, they were just the mill of the run type of vitamins that can be bought in any vitamin store. If you subpena some of my diagnoses before your committee, you will find they are all the same. There was a set rule that you got vitamins, minerals, B_1, Plan-Ex, B_2, C, D, and E, and that ran $42.50. Then on your second course of treatments you got bile salts which ran $7.50. Then he had some hormone substances there for the male and female that ran I think $21.50 for the male or thereabouts and $27.50 for the female.

Mr. Rumford: Regardless of what the complaint was, they got the series of vitamin treatments?

A. Yes, it was a set rule. In case there was a man and wife who came in for treatments, such as the Johnsons you talked about this morning, that had to be changed to keep from coinciding with the same treatment for both of them.

Mr. Rumford: They wouldn't have given him E?

A. No, they would change that around and give him Plan-Ex and something else, just in order to change the prescription.

Mr. Rumford: I have one more question. At any time was your institution visited by members of the Chiropractic Board or the Board of Medical Examiners?

A. Not to my recollection.

Mr. Rumford: That is all.

Mr. Lipscomb: Would you say that Osborne was diagnosing these cases by remote control?

A. In my own mind, I would, because he has called us in his office numerous times and told us the prescription that he gave his mother for calluses on her feet and bunions and things like that, and putting her on strict diets and things of that nature, and in the event we had patients it would give them an added result in order to boost the sale of another treatment, and we were to advise the patients of that treatment if they had a corn or a bunion and we were to put them on fruit juice diets, and things of that nature.

Mr. Lipscomb: He actually was diagnosing the cases ahead of time?

A. I would say personally, yes.

Mr. Lipscomb: It was an indirect way of practicing medicine?

A. Yes.

Mr. Smith: On these instructions you were given, did you so instruct the doctors you hired?

A. Yes, I gave them the routine that was handed down to me in order for them to make the sales on the floor out there. Any time a patient didn't take any more than six treatments, they were called on the carpet.

Mr. Smith: From the standpoint of ethics of a chiropractor's association, how did they follow that?

A. We were diagnosed by Osborne. He hates medical doctors and chiropractors and osteopaths. He hates anybody that is legitimate.

Mr. Rumford: Osborne does?

A. Yes.

Mr. Smith: Do you think that the organization as it is operated is for the good or benefit where you saw it of the public health of the citizens of the State of California?

A. Definitely not.

Mr. Smith: In other words, you think it is a detriment to the public health?

A. Yes.

Mr. Smith: And not to the teachings of the chiropractory that you learned?

A. No, that is the reason I severed my connection with the institution down there, because prior to that and since that I have not been in practice, and I quit a job that was paying me in the neighborhood of $800 a month, and people don't quit those jobs if they don't have to live with their conscience.

Mr. Smith: As you mentioned, it is more of a racket than anything else?

A. In my own personal mind, it is a racket. Those people are brought in there and they are pounced upon from the minute they enter. In other words, the vultures leap at them down there. The doctor comes in and grabs the large colon. If there is nothing wrong with it he says it is impacted and they are going to die if they don't get it corrected.

Mr. Earl Hall, Special Investigator for the State Board of Chiropractic Examiners was next questioned, and he testified as follows:

Q. Have you in your position as an investigator for the chiropractic board received complaints against Dr. Brinkley or the New Yorker technique?

A. Many.

Q. Do you know how many you have received?

A. Well, approximately since the office has been functioning, especially since Dr. Brinkley has been connected with the office, I would say between 80 and 90 complaints.

Q. Over what period of time have these complaints been received?

A. I just don't know the exact date when Dr. Brinkley took over at 355 South Broadway. I don't recall it but it was about that time, shortly after that. I don't recall the exact date.

Q. What has been the general nature of the complaints that have been received?

A. The most complaints received by me and through the State Board of Chiropractic Examiners in our office in Sacramento have been in the form of letters sent them and then relayed to me as persons dissatisfied

with treatments and wanting a refund of money only. Part or all have been to send back money paid.

Q. And what have you done about these complaints?

A. Turned the complaints over to the Attorney General's office.

Q. All of them?

A. Every one of them.

Q. All the complaints, in other words, that you received in writing?

A. Yes. Many of these complaints, gentlemen, were in the form of anonymous phone calls, people who would not even give their names. They would ask for my opinion. They would say, "Mr. Hall, I was advised to call on you. Would you please intercede in my behalf as per a refund." I said, "For what?" They would say, "For treatments taken at the New Yorker office in Los Angeles." I said, "What form of treatments were they?" They said, "Colonics, adjustments, Battle Creek method, and diet." I said, "Yes, but did you sign anything with that office?" They said, "Yes, I did." I said, "What did you sign, an agreement or a contract?" They said, "Yes." I asked, "For how many treatments?" They said, "Six treatments at the cost of $95." I said, "Now what do you want?" They said, "Well, after the sixth treatment I don't feel any better than I did before I took the treatments." I said, "That doesn't prove a thing to me. I am very sorry. Now what do you want?" They said, "Well, I feel that I should be entitled to a refund." I said, "Of the whole amount or just part of it?" They said, "The whole thing." I said, "I am sorry, but we have no jurisdiction over fees, and we just can't collect it for you, but I will refer you to where you can take your case," which I did. They could go to the small claims court or in some instances they could go to the public defender and ask their opinion on it. I told them, "If you get a case against those people that they are not doing the right thing by you, the State Board of Chiropractic Examiners would do something about it." There have been instances where some of these calls—and they have been more or less of a daily nature, mainly regarding a refund or a part of a refund—that wanted to know if they started a case, would we cooperate with them. I have said, "Yes, I would be glad to, but you would have to prove in court that you didn't derive benefits from the treatments. I don't know whether you did or didn't, and mind you, I am for you too." It boiled down to the one gripe. That was, "I want my money back, if possible, or part of it back," or "The treatments didn't do me any good." One old lady came to the office. She didn't give her name. I believe she was referred to me from the Medical Board Office. She had been into them and asked them about this New Yorker set-up, and they said, "Go in and see Mr. Hall." She came in. She said, "Mr. Hall (I believe she said she was on state relief), I have spent all my money over there, and I don't feel any better." I said, "When did you start taking the treatments?" She said, "I just took the six treatments." I said, "What did you pay?" She said, "I paid $95 for six treatments." I said, "What did they consist of?" She said they consisted of so and so and so and so. I said, "Did you sign anything for those treatments?" She said, "Yes." I said, "Did anybody make you sign for those treatments?" She said, "No." I said, "In other words, you just signed up and took the six treatments at $95?" She said, "Yes, I did." I said, "Now you are telling me that you don't feel any better. Have you been to other doctors before you went there?" She said, "Yes."

This old lady said, "The medical doctors were robbing me. They weren't doing me any good. I went to an osteopath. He was not doing me any good." I said, "You are a shopping patient. You have shopped around and have tried everything. Your next move will be faith healing. Have you tried that yet? I am going to be honest with you. I can't help you in collecting the money. The board has no jurisdiction no more than any other board does over fees charged by their doctors."

Q. In these complaints that have been made to you, did the patients of Dr. Brinkley state what their difficulty was diagnosed as by his office?

A. No, we never went into that. Their main complain was, "Will you help me get some money back, or all of it?" One lady came to my office from Beverly Hills here about three months ago. Her name was Baer. She said, "Mr. Hall, I received very fine treatments. I am not complaining about the treatments received." She said she had taken the two weeks course, and it had cost her $95 for the series of treatments She had had six treatments She said, "I was induced by them to take some vitamins. They charged me $30 for them." She said, "Mr. Hall, I have paid for these pills In taking those, some of those tablets in there caused me to have a gas formation in my abdomen that made me ill. I can't continue taking them." I said. "What do you want me to do?" She said, "If I were to take those back, do you think I could induce the office to give a refund?" I believe she said she paid $30. I said, "I will call Dr. Brinkley and see if they won't cooperate and give you back the money." She said, "I can bring them over." I asked her, "You used a few?" She said, "Just a very few." She called me later and informed me that the doctor did give her back the money, whatever she paid. Most every complaint I had has been regarding a refund

Mr. Rumford: What are your duties as an investigator?

A. I am a state investigator investigating complaints regarding unlicensed doctors practicing without a license, running down court cases, etc.

Mr. Rumford: What is the "etc."?

A. On renewal time I check on delinquent doctors. I check to see that they are not practicing while their license is delinquent. I check on out-of-state doctors practicing in other doctor's offices without a license. I check on chiropractors who are not using the proper degree following their name as per their law. I check their offices to see that they are not violating the law as far as drugs and surgery, etc., is concerned.

Mr. Rumford: Did you have occasion to call upon Dr. Brinkley to inform him as to his ethics?

A. Yes. In fact I had two board members visit the office with me.

Mr. Rumford: What did he say?

A. He said, "I am doing nothing. I am practicing more chiropractic here than any other office in the State of California" He was giving chiropractic adjustments. That is the basic principle of chiropractic. He said, "We are also giving colonics under physical therapy. We are using the Battle Creek, which is a modality."

Mr. Rumford: You reported these to the board, did you not?

A. All these records are at the State Board.

Mr. Rumford: The board stated they had no authority under the law?

A. And also to the Attorney General's Office Various deputies at San Francisco and here have been piled up in their office that high with these ads.

Mr. Rumford: As an investigator you feel the State should enact further laws to protect people in these instances?

A. Yes.

Mr. Rumford: Are you prepared to submit such a recommendation at the next session of the Legislature?

A. Well, I would be glad to, yes.

Mr. Rumford: Or the board.

A. Speaking for the board, I am sure they would.

Following is the testimony upon cross examination of C. A. Mead, Special Agent for the State Medical Board of Examiners:

Q. Have you as a result of your position with the board received complaints against Dr. L. A. Brinkley or the New Yorker Technique?

A. Yes, sir.

Q. And do you know about how many complaints have been received by your office?

A. There were approximately 60 investigations made by our office, and many, many more complaints were made.

Q. When were these complaints received?

A. April 11, 1946, is when our earliest complaints were received, and they come right down to the present.

Q. When were the investigations made?

A. Well, from April of 1946 up until approximately the middle of June of 1948.

Q. Was that when Dr. Brinkley took over?

A. Yes, sir. There have been some investigations made after that.

Q. Well, as a result of these investigations you made prior to the time that Dr. Brinkley took over, what was the result of those investigations?

A. We filed charges against John Osborne for five counts of practicing medicine without a license. It is a violation of Section 2141 of the Business and Professions Code, and we arrested him, and he pleaded guilty.

Q. Subsequent to that time, you continued then to receive complaints, is that correct?

A. Yes, sir.

Q. Was the general nature of these complaints about the same as prior to this prosecution?

A. Yes, sir, our complaints seemed to be, the victims seemed to fall more or less into groups of not feeling well after their treatments, also they felt that the amount of money charged them was excessive, they complained about the price of the vitamins, and one thing I noticed was that in most of the investigations that I made, they were always diagnosed as having gallstones, and in some instances the victim, while being given a treatment, would be told that the gallstones were now passing, and that the victim was passing his gallstones.

Q. What have you done, if anything, with the complaints that you have received since the prosecution took place?

A. Since Dr. Brinkley came in?

Q. Yes.

A. The complaints came into our office, and we have been sending them over to the Bunco Squad of the Los Angeles Police Department. At least I have. And I think our secretary has been so instructed. Possibly she has sent some to the Chiropractic Board. We are more or less powerless now because Dr. Brinkley has a license and can diagnose and treat.

Chairman Connolly: I have one question. Your office is aware of the fact that—at least it has been stated today by several witnesses—Osborne still is in the same office. Is your office aware of that?

A. Yes, sir, but we have to go to the City Attorney's Office and secure a complaint and then turn it into a warrant.

Chairman Connolly: Nothing has been done on that particular phase of it?

A. In order to do it, we have to show someone not licensed is diagnosing and treating. He can go back and say Brinkley did the diagnosing, so we are powerless.

Mr. Rumford: Mr. Mead, what was the basis for your investigation? In other words, how could you act? On what basis did you act in this particular case?

A. You mean in the arrest of Osborne?

Mr. Rumford: No, I mean in investigating complaints.

A. Well, in the event we receive a complaint through the mail or personally or over the telephone, we call on the alleged victim and ask as to their treatment, what happened, when they went to the New Yorker, and in some instances they would say, "I went up there, and I talked to a man. They called him Dr. Osborne, and I sat down at his desk, and he told me I had gallstones, and a bad heart, and that a course of his treatments would help me, and I took them." The diagnosis was that it was gallstones and a bad heart, and colonics were the prescribed course of treatment, which is a violation of the law.

L. B. Ruppers, sergeant attached to the Bunco Detail of the Los Angeles Police Department was next called, and he testified as follows:

Q. Sergeant Ruppers, has your office received complaints against Dr. L. A. Brinkley or the New Yorker Technique?

A. We have.

Q. Do you know approximately how many have been received by your office?

A. Not exactly, no. I have not worked on this for the last three months, and there have been some since I quit working on this case.

Q. Have they been numerous since the time you have been working on it?

A. Yes, we have had as many as five complaints a day.

Q. How are the complaints made, in person, by telephone or by mail?

A. Sometimes they have been by mail, sometimes by telephone and sometimes in person.

Q. What is the general nature of these complaints?

A. We have had several different types of complaints. Some of them claim malpractice, some of them claim overcharging, and I have several here that I think could be called malpractice.

Q. What have you done about these complaints?

A. I have taken it to the City Attorney's Office for possible complaint. There is nothing here that we could do as far as the theft is concerned, which is what we are concerned with, and I have gone to the District Attorney's Office, and I discussed it with the deputy there.

Mr. Rumford: Under the present law you find it impossible to make any complaint or at least to file a complaint and prosecute?

A. That is right.

Mr. Smith: How about a little more detail about the malpractice, the nature of one or two of these complaints to get an idea of what they are complaining about.

A. We have a complaint here of a Fred Ahlquist. He had a breaking out condition on his hands and over his body, a sort of a rash, and he saw the advertisements in the paper. He went to see Dr. Brinkley. I can't find out from him who he talked to, but some doctor took him into a room and gave him a rub-down, and during the course of the rub-down, and before he went in he had a hernia, and the hernia was granulated. I hope the doctor doesn't catch me up on the medical terms. But before he got home his hernia had swollen up to the size of a football. So his wife called Dr. Brinkley and wanted somebody to come out right away, and they told her they couldn't come out to their place, that he would have to come in there. Well she told them he had paid in advance. He gave a check for $100 for a week's treatment in advance, and she demanded the money back. They told her the appointments were made, and she would lose the money. So she immediately called the bank which was just about two hours after Mr. Ahlquist gave them the check, and the bank is located by Manchester and Vermont, and the bank told her someone had been out there and cashed the check already. Mr. Ahlquist's address is 1244 West 51st Place. His phone is AX minister 15665.

Then we have a case of Betty Jean Lauritzen. She is aged 21, and suffering from epilepsy. Her mother took her to Dr. Brinkley. She had seen the advertisement regarding the epilepsy cures, and they paid a total of $544, and by the time the girl had taken several weeks treatments she was committed to the General Hospital, and from there sent to Camarillo, and her mother was later, over worry over the girl, sent to Camarillo also. Is that sufficient?

Q. By Mr. Van Dyke: Let me ask you this, Mr. Ruppers. Have you checked to see if there is a police record on John R. Osborne?

A. Yes.

Q. Did you find a record?

A. Yes.

Q. Will you state what that is. Let's make that Exhibit No 18.

A. His Los Angeles number is 1010D16. On June 15, 1927, he was arrested by the Sheriff's Office in Los Angeles charged with Section 215 of the Federal Penal Code, and on the 23d of June, 1927, he was sent to the United States Penitentiary at Leavenworth, Kansas, charged with mail fraud. He received 10 years and 10 days. On October 2, 1928, he was committed to Carson City State Penitentiary on a mail fraud charge. I imagine that is the same charge. He did his time in Carson City instead of going to Leavenworth. And on June 28, 1948, he was arrested for violation of Section 2141 of the Business and Professions Code. I imagine

that is the medical charge. He was arrested on five counts. Four counts were dismissed, and he served three days on the one.

Mr. Rumford: Is it necessary in the City of Los Angeles to have a business license to operate this type of a business?

A. It is.

Mr. Rumford: Is there any way possible that such a license can be revoked for unethical practices?

A. As far as the City License Bureau is concerned, all they are concerned with is the revenue from the license. I do not believe they have any police powers or any powers of revocation of the license.

Mr. Rumford: In other words, if they apply, they have to give it?

A. Yes. Lynn A. Brinkley has a retail and professional license out of the City License Bureau.

Chairman Connolly: At any time have you ever discussed it with his attorneys or anything like that?

A. No. I believe in one case, in this Lauritzen case I believe I talked to Mr. Mayo regarding her complaint of being overcharged or some such thing. I understood later there was a settlement made on her bill. I am not sure of that We are not interested in refunds at all, and I can't go into it.

Chairman Connolly: Mr. Mayo is representing Brinkley?

A. Yes, Dr Brinkley.

Mr. Van Dyke: Who did you talk to in the City Attorney's Office?

A. I talked to Mr Boyd Taylor and Don Redwine.

Milton P. Duffy, Chief of the California Pure Food and Drug Department, State Department of Public Health, was called, and his testimony follows:

Q. Mr. Duffy, have you conducted any investigation in connection with the activities of Dr. L. A. Brinkley?

A. We have, yes.

Q. And what was this investigation concerned with and what is the result of it?

A. Well, as testified to by C. A. Mead, Special Investigator of the Medical Board, on June 28, 1948, I assigned Senior Inspector W. G. Behrins to work with Woodruff, Mead and Chester Lloyd and J. A. Williams of the State Medical Board conducting an investigation, resulting in the plea of guilty by Osborne who then operated that clinic. We took numerous samples of preparations he had there, but the manner and method of labeling them are within the provisions of the California Pure Drugs Act

Q. Did you check on the prices of any of these?

A. Well, at that time it was the same business of $98 for the treatments.

Q. Did you make any check on the price of the vitamins?

A. Not at that time, no.

Q. That was subsequent, was it?

A. Yes.

Q. What did you find out in that connection?

A On April 26, 1950, L. B Ruppers of the Bunco Fugitive Detail of the Los Angeles Police Department delivered a package to me labeled, "Twenty tablets, New Yorker, Vitamin B_{12} Concentrate, the amazing red vitamin, each tablet contains Vitamin B_{12} five gamma; copper, 100

gamma; stomach and duodenal substance, dessicated and defatted, below 37° Centigrade; directions: one tablet every other day as prescribed by doctor; fabricated especially for New Yorker, 355 South Broadway, Los Angeles 13."

That vial of tablets I had identified by a No. 2975 on the 26th day of April, 1950 at 2.30 in the afternoon. I had that vial delivered to Professor Max Dunn, who is an authority on vitamins at the Bureau of Chemistry at the University of California at Los Angeles where an analysis was made of the same. Carrying the investigation further, I was told by Mr. Ruppers that this sold for $62.50 from the Brinkley Clinic. We checked the price on Vitamin B_{12} of products similar to those through the firm of Horton and Converse in Los Angeles. They advised us that they cost $2 63 per 100 wholesale. They would retail 100 tablets for $3.85; on a prescription for 20 tablets they would charge $1.30. We likewise checked with Exclusive Prescription Pharmacy in Los Angeles and they advised us they paid $4.95 per 100, which had fellic acid in combination. They would retail the same package for $8.25 per 100. On a prescription for 20 tablets, they would retail it for $2.30.

We checked with E. R. Squibb's and Company, manufacturers of this product, of New York. They advised us that 100 tablets would sell wholesale at $4.90 and at retail for $8.35 per 100, and for 20 tablets $2.30.

Boyle and Company of Los Angeles advised us they would sell it wholesale for $4.75 a 100, and it would retail over the counter for $6.95 a 100.

Eli Lilly Company would sell Vitamin B_{12}, 200 micrograms for $3.90 wholesale and they would retail for $6.50 per 100. This Lilly Company is in Indianapolis.

Mr. Rumford: The only thing I am interested in here is possibly, did you determine who manufactured the vitamin for this particular company, Brinkley, and if they made an analysis to determine if the content was proper as labeled?

A. Well, no, I didn't determine that, but we determined through Professor Max Dunn it did contain the labeled amount approximately of Vitamin B_{12}.

Mr. Rumford: It wasn't mislabeled.

A. No.

Mr. Rumford: It was just an excessive price?

A. Yes. Could I testify into the record what should correct this abuse? I think that the Legislature should enact an amendment either to the Business and Professional Code or a special law to have it all inclusive the use of testimonials in incurable diseases be prohibited. We have Section 26271 in the Health Code on incurable cancers, heart disease and the like. My suggestion would be that it be all inclusive to take in all the healing arts and prohibit them from advertising treatments and/or cures, because under 26271 of the Health and Safety Code the fake patent medicine racket in California is practically wiped out due to that section. Every faker that comes in tells us about Brinkley and others in the telephone and in the daily newspapers.

Dr. Leo S. Calloway was recalled to the stand and was re-examined as follows:

Chairman Connolly: Doctor, these witnesses after you have been on have been testifying about all of the complaints that have been received

in the various agencies. I wonder, did people come back and complain directly to the office at any time?

A. Yes, sir.

Chairman Connolly: And how were those complaints handled?

A. If they weren't able to be resold on another sale of a series we were reprimanded.

Chairman Connolly: When they came back to complain you were supposed to resell them on some more?

A. Yes.

Chairman Connolly. Did you ever have any discussions with Mr. Mayo, the attorney, in connection with any of these complaints?

A. No. The only direct contact I came in with Mayo wasn't in direct contact. It was with Chesebro who is Brinkley's attorney. I has been repeatedly stated they have an air-tight contract between Brinkley and Osborne due to the fact that Ray Chesebro is the son of the City Attorney, and Jerry Mayo who is Osborne's attorney, and they are in turn law partners. In any "beefs" that come up, they take it to the old man, and it is quashed right there.

Chairman Connolly: Did somebody ever make that statement?

A. Osborne made it to me He said that it would be very little trouble to get rid of Brinkley. All he would have to do was take a twenty minute walk around the block and see Mayo and cancel Brinkley's contract. He has a contract—I believe at the time he told me he had a contract —with Brinkley under a thirty-day cancellation, although he had to advance Brinkley 90 days commission, which was 1 percent of the total gross, plus his salary, and he could get rid of Brinkley. That is what he promised me down there at that time. He said Brinkley was a drunkard at heart and he was going to get rid of him. He said all he had to do to get rid of Brinkley was to take a 20-minute walk around the block and see Mayo, and Mayo and Chesebro are law partners, and Chesebro is the son of the City Attorney. He has repeatedly bragged before the whole staff down there, not only to the doctors.

Chairman Connolly: Who are you referring to?

A. Osborne. He said that he had an air-tight contract down there that nobody could shoot a hole in. He said he has been against the wall before, and he has perfected his means of operation down there so nobody could shoot a hole in, due to the fact that he has Mayo as his attorney, Mayo is a law partner of Chesebro, and Chesebro's old man is the City Attorney, and nothing can be done about it.

Chairman Connolly: These statements were made on several occasions?

A. Yes. If you look Brinkley's record up, I think he was a captain on the fire department in Huntington Park at the time he took up chiropractic. He couldn't buy yesterday's newspaper as far as cash was concerned. He was bootlegging second-hand refrigerators and gas stoves during the war, and was fired from the fire department. He takes over the institution, and he goes into a $400,000 a year advertising program.

Mr. Rumford: You don't treat drunkards down there at Brinkley's, do you?

A. They will treat anything that has $95.

Following is the testimony of Dr. Edward C. Poulsen, D C , Member of the State Board of Chiropractic Examiners:

Q. During the time that you have been a member of the board, have complaints been brought to your attention against L. A Brinkley or the New Yorker Technique?

A. They have been brought to the board's attention through our investigator, Mr. Earl Hall, and by letters to our office many times.

Q. What have you done about these complaints?

A. Well, we have contacted the Attorney General's Office. I have made a trip to the Attorney General's Office personally as far back as—I want to say—1946. I may be in error. It is quite a while back. I made another trip to Los Angeles and saw Mr. Goldin. I spent a day with Mr. Goldin.

Q. Mr. Goldin was at the Attorney General's Office?

A. Yes.

Q. What were you told on these occasions?

A. On all occasions we were told that the board has no power, that our law is weak, and until such time as we can correct the weakness through legislation that the Attorney General's Office is powerless to help us.

Q. Well now, Dr. Poulsen, have you read some of Dr. Brinkley's advertising?

A. I have.

Q. What is your opinion with regard to this advertising?

A. I think it is misleading and falsifying at its worst.

Q. Have you checked any with the so-called New Yorker Technique?

A. I don't follow you there.

Q. The New Yorker Technique?

A. Do I know what it is?

Q. Yes.

A. I know from hearsay what it is. I have never been in that office.

Q. Now, let me ask you this, doctor. You have read the statements made by Dr. Brinkley in his advertising. Is there any chiropractic school in the State of California that you know of that teaches any subject which covers this material quoted by Dr. Brinkley?

A. If you are referring to colonic irrigations, yes. I would say all of our chiropractic colleges teach colonic irrigation as an adjunct of chiropractic, yes.

Q. Is there any limitation placed upon it by the Chiropractic Board or by the schools when they teach it?

A. No.

Q. With regard to the state examination, is this subject covered by questions in the state examination?

A. It is.

Q. Do you have any recommendations that you can make to the committee with regards to legislation that you feel would be of assistance to the board?

A. I do. First before I do, I would like to say for the record's sake that this particular operator and a few more are a minority in our profession, and we dislike—the majority of our profession dislikes—it as much as anyone else does, and we would be more than happy if we could rid our profession of them. Our board was very much in favor of having this

committee go on record in putting two additions to our act, and that is an aiding and abetting clause, and also one on unprofessional conduct. I would like to read what I have on aiding and abetting and also on unprofessional conduct:

"The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted constitute unprofessional conduct within the meaning of this chapter."

The definition of unprofessional conduct is, "The procuring, aiding or abetting in procuring of criminal abortion, paying for steering of patients into one's office, obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well, the wilful betrayal of professional secrets of a patient to the detriment of the patient, chiropractic advertisements—making false or unethical claims, conviction of any offense involving moral terpitude, wilful neglect of a patient in a critical condition," and we suggest that there shall be no advertising of price or price quoting; there shall be no displaying of internal organs in advertising; no statements or claims shall be made in advertising that cannot be substantiated by standard diagnostic and laboratory methods; no advertising shall be permitted which may be construed as comparative. And that is just about all that we as a board feel is necessary. We feel if our law is changed to where these two clauses are included in it that we can take care of all our problems.

Q. Dr. Poulsen, you mentioned in your letter there something about false or unethical advertising or claims, is that correct?

A. Yes, sir.

Q. Now, what in your opinion should the standard be to define what is ethical and what is unethical advertising?

A. Away back in 1944 we were given the job of trying to correct the advertising in this State. I went to see Deputy Attorney Ward Sullivan who wrote up, with the assistance of Deputy Martin, a rule for our board.

Q. Were these men from the Attorney General's Office?

A. Yes, and this rule I will read. We at that time thought that we had the problem licked. We do encourage advertising of an ethical nature, but since that time, every time we have tried to cite one before our board, we have run up against a stone wall, that the rule will not stand in court, and the Attorney General's Office will not back it. "Advertisements: Constructive, educational publicity is encouraged, but the use by any licensee of advertising which contains misstatements, falsehoods, misrepresentations, distorted, sensational or fabulous statements, or which is intended or has a tendency to deceive the public or impose upon the credulous or ignorant persons, constitutes grounds for the imposition of any of the following penalties:

"(a) Suspension of said licensee's rights to practice in this State for a period not exceeding one year;

"(b) Placing said licensee upon probation;

"(c) Taking such other action, excepting the revocation of said licensee's license.

"In relation to disciplining said licensee as the board in its discretion may deem proper, the State Board of Chiropractic Examiners has issued a directive to the investigators to inform all chiropractors who advertise their services to comply with provisions of Rule 311. Violation of this rule will cause you to be cited before the State Board of Chiropractic Examiners."

Q. That rule was adopted when?

A. November 2, 1948.

Q. That was adopted by the board itself?

A. That is correct.

Q. And were you advised by the Attorney General's Office that this rule would not stand up, is that what you mean?

A. The board has been so advised, yes. The last letter was directed to me on July 21, 1950, from the Attorney General's Office. And in conclusion, it says, "Your attention is directed to the provisions of the recent Section 17500.1 of the Business and Professions Code which precludes a state board or commission with a Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertising which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals existing rules or regulations conflicting with said section. Since Section 17500 of the Business and Professions Code does not contain any prohibition against sensational or fabulous matters, the enactment of a new section would invalidate the board's Rule No. 311 insofar as it relates to fabulous and sensational material." This was signed by Mr. Goldin.

Chairman Connolly: I want to ask one question, Doctor. You make your recommendations there about no comparative advertising and no quotation of price and no pictures of the body, etc. What you are really saying in effect is that the advertising should be restricted just to name and address, aren't you?

A. And educational material that has a tendency to enlighten the public or to enlighten the different doctors, but to have these fabulous pictures of internal organs shown in the newspapers, etc., we are very much against it. We would like to have it stopped.

Mr. Smith: When you get down to it, you don't have control over what your members do as far as advertising and practice is concerned?

A. Our law was written in 1922, and there are many changes that it could stand right now. We have a very weak law, yes.

Mr. Smith: Did you hear Mr. Duffy's suggestion as to the amendment of the law so there would be no use of testimonials in advertising?

A. I am in accord with Mr. Duffy's recommendation.

Mr. Smith: You think that is a good idea?

A. I do.

Testimony was also heard by Dr. Tobin and Dr. Molle, members of the State Chiropractic Board, who verified what Dr. Poulsen had said upon examination, and in addition Dr. Molle stated that all of the practicing chiropractors in the entire Country do not spend as much money collectively as does Dr. Brinkley in one year.

Dr. Edward C. Rosenow, M.D., acting as Medical Advisor to the committee and who is an Associate Professor of Medicine at the University of Southern California, Senior Attending Member of the Los Angeles

General Hospital Staff, Counsel Member of the Los Angeles County Medical Association, President of the Los Angeles Society of Internal Medicine, Vice President of the Los Angeles Heart Association, and a Fellow of the American College of Physicians, testified as follows:

Mr. Rumford: Doctor, you have heard the testimony regarding the treatment that is given by Dr. Brinkley, this New Yorker treatment. On the basis of your medical knowledge would you say that excessive colonics do physical harm to the body, or do you feel that there is nothing to be gained one way or the other?

Dr. Rosenow: In a normal intact bowel, you mean?

Mr. Rumford: They don't have normal bowels in this case.

Dr. Rosenow: A diseased bowel could definitely be damaged by excessive colonic irrigations. I doubt very much if you could actually injure a normal, healthy, intact bowel with even pretty frequent colonic irrigations. I don't know just what you would call excessive.

Mr. Rumford: The New Yorker treatment.

Dr. Rosenow: I don't imagine that would do a healthy, normal bowel any harm. I don't believe it would discharge any gallstones from the gall bladder, however. They are quite a ways apart, approximately 21 feet apart. An interesting side statement I might make on that is that somewhere in the testimony, maybe it was Dr. Calloway or somebody, the diagnosis they made on these people was an impacted caecum and irritable colon, and they would palpate in the region of the gall bladder and diagnose gallstones, which can't be diagnosed by palpation In fact, it is doubtful to me that more than maybe 10 or 15 percent of them could be seen in an X-ray without giving them special dyes and things to outline them, because only 15 percent of all gallstones are visible in the X-ray anyhow.

Chairman Connolly: They couldn't be detected at all by palpation?

Dr. Rosenow: No. Let's say this, that if a person had a distended gall bladder, you could suspect it had some stones in it.

Mr Van Dyke: What is your opinion on this: In some of this advertising it states as follows: "I had fat patients that eliminated from their body as much as 50 to 60 pounds of waste and 10 to 15 pounds alone from the colon mainly consisting of foreign matters, especially old hardened feces." Have you ever had occasion in your practice to run across a case like that?

Dr. Rosenow: There is only one kind of a case that would even approximate that particular statement and that would be a person who has what is called Hirschsprung's Disease. It means just they have an enormous colon. They were born with it. It is five to ten times larger than a normal colon. They will only evacuate maybe once in two weeks.

Mr. Rumford: The New Yorker treatment would do well.

Dr. Rosenow: The particular one with all the symptoms, you understand, come from costiveness and sluggishness of the bowel. Those particular people, many of them, feel fine, and they have the most fecal material in their colon of anybody for the longest periods of time. They are never without unless they are continuously using colon irrigations. They feel fine. They don't have any trouble. They have no autointoxication at all.

Chairman Connolly: Could you for the purpose of the records give us a concise medical definition of autointoxication? We have been talking about it all day. I don't know whether we have a definition of it.

Dr. Rosenow: I don't think I could. I know approximately what is meant by it.

Chairman Connolly: I don't know. I am trying to find out.

Dr. Rosenow: It isn't a term that I use in my practice. It is supposedly all of the various bad feelings that people have as the result of constipation, is my understanding of it, which varies considerably. It may be headaches, it may be backaches, it may be just a general no good feeling, the jitters, the nerves, and all sorts of things. Some of them may be due to that. A most interesting experiment was once done, I think, by Walter Allres who proved this was not autointoxication, but merely a nervous reflection. Some people that have an upset stomach get other things purely through their nervous systems as a reflection, and what he did was first cleaned out the colon very thoroughly, and then put a wad of cotton in the rectum to stop up the bowel, and within a short period of time they had all the symptoms of autointoxication. Obviously they hadn't had an accumulation of toxins after they were cleaned out to give the symptoms, so he postulated the thing was purely a reflection thing and not an autointoxication.

Chairman Connolly: Just nerves?

Dr. Rosenow: Yes

Chairman Connolly: Do you have any other observations?

Dr Rosenow: One thing that interests me very much is that all things are due to constipation. The misleading thing about these advertisements, and I think that these gentlemen would agree with me, is that all the ills that beset humanity are due to constipation, according to this kind of advertising. Well, that is a pretty safe gimmick, because probably better than 65 percent of the male adult population and probably 85 percent of the female adult are constipated and have symptoms of pretty near anything, so when you see an ad like that, and especially if you see the lists of conditions that they have, there is hardly any possibility that it wouldn't fit some symptoms that the patient complained of, which makes it a very nice "come-on."

Mr. Van Dyke: Doctor, in one of these ads it says that, "One good stool a day means nothing." Would you say that that was true?

Dr. Rosenow: Yes, I think that is true

Mr. Van Dyke: Would you say in one of these ads that it is not at all improbable that many cases of heart failure, paralysis, hernia, reproductive gland failure and uterine displacement may be due to this hitherto unsuspected cause; would you say that is true?

Dr. Rosenow: No. I don't think that is true at all. I think the logic is poor.

Mr. Van Dyke: Do you think autointoxication has anything to do with heart disease?

Dr. Rosenow: No.

Mr. Van Dyke: Cancer?

Dr. Rosenow: No. The logic is poor. It isn't the science necessarily, but even the logic is poor. You take something that everybody has some of, and that is sluggishness of the bowel occasionally, and then go from

that. I mean all the people that have these diseases probably at sometime or other are constipated, and it has no relationship. They are coincidental findings. Let's put it that way.

Mr. Howard S. Goldin, Deputy Attorney General, upon examination testified as follows:

Q. Mr. Goldin, you have, I think, been consulted on numerous occasions by members of the Chiropractic Board and others with regard to Dr. L. A. Brinkley, is that right?

A Yes, I have.

Q And have these complaints been made about Dr. Brinkley's advertising to you?

A. Yes, there have been complaints about his advertising.

Q. Well, what advice have you given with regard to his advertising?

A. Mr. Van Dyke, with this group's permission, I think my advice can be best summarized by reference to a letter that I wrote to a member of the Board of Chiropractic Examiners pertaining to this Dr. Brinkley, and with your permission I would like to refer to it.

The letter is addressed to Dr. Erward C. Poulsen, Member of the State Board of Chiropractic Examiners, and is dated July 21, 1950, relative to Lynn Andrew Brinkley, D. C. (New Yorker Offices) and it reads as follows:

"Pursuant to your request, I am forwarding our entire file on Dr. Brinkley, which file is to be returned to me as soon as it serves your purpose. You will recall that for some time the State Board of Chiropractic Examiners in this office have been deluged with complaints relative to the advertising of Dr. Brinkley. Some examples of such advertising material are to be found in the file accompanying this letter.

"It is a cardinal rule that the causes for disciplinary action are limited to those specified by statute, thus Section 10(a) of the Chiropractic Act sets forth the exclusive grounds for which a chiropractor in this State may be disciplined. That section purports to cover advertising of specified types, namely the menstrual period in women, sexual impotence and venereal disease. It would appear that an accusation based upon prohibited advertising would have to be limited to the specific types of advertising designed in Section 10(a). Stated otherwise where a statute frowns upon only specified types of advertising, all other types of advertising would not constitute grounds for disciplinary action. Moreover, the Chiropractic Board by rule cannot add additional advertising grounds for discipline for those enumerated in Section 10(a)."

If I may digress from the letter for a moment, I wish to point out that whereas the initiative act does empower the Board of Chiropractic Examiners to promulgate rules and regulations, it does not make the violation of such rule and regulation a ground for disciplinary action. It has been my understanding of the law, and still is, that by rule the agency may effectuate the legislative declared purpose, but that such rule does not enable the agency to set up new substantive offenses. I am leaving a short portion of my letter which I believe has no relevancy to the matter here under discussion, and then I continue as follows:

"Directing your attention to the wording of the usual Brinkley advertisement, it will be noted that the custom is followed wherein a multitude of lengthy quotes, successively state in effect that, 'A clean intestinal tract is conducive to good health.' Apparently there seems to

be no prohibition against such advertising tactics upon the part of Dr. Brinkley or any other chiropractor."

Again digressing, immediately thereafter I wrote the following portion of this letter, and upon reconsideration I have slightly changed my opinion in the manner that I will attempt to explain before this body. I wrote then:

"There is of course a possibility of singling out specific portions of Brinkley's advertising material upon which to base an accusation, but the desirability of following such a procedure is open to question. For example, the customary Brinkley ad recites, and I quote, 'Dr. Brinkley has a staff of more than 125 people, 18 licensed doctors (specialists) and more than 60 specially trained nurses and technicians.' Such statement is misleading in that the public is not informed what type of licenses these 18 alleged doctors possess, nor is there any indication as to the specialty of each of these doctors. However, as a practical matter, it may be unwise to base an accusation upon such an assertion alone in order to preclude Brinkley from getting himself into a position where he could state to the board with full knowledge of his advertising methods, and with samples of his materials before it singled out and charged him with only specific misrepresentation. Certainly we do not wish to tacitly approve the balance of Dr. Brinkley's advertising."

Now with respect to the comment that I just read from my letter of July 21, upon reconsideration I have come to this conclusion that, for example, with reference to this ad that Brinkley has a staff of a certain number of people—18 licensed doctors, specialists, etc.—now Section 17000 of the Business and Professions Code does set up a prohibition against misleading and untrue advertising, and make the violation of that statute a misdemeanor, but there is no disciplinary cause of action based upon misleading and untrue advertising. In other words, a violation of the misdemeanor statute in and of itself is not a ground for disciplinary action under the Chiropractic Act unless the Administrative Act does make it a ground for disciplinary action, and it doesn't with reference to this particular statute.

Now, I conclude my letter with the following comments:

"In conclusion, your attention is directed to the provisions of the recent Section 17500.1 of the Business and Professions Code which precludes a State Board or Commission within the Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertising which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals the existing rules and regulations conflicting with said section. Since Section 17500 of the Business and Professions Code does not contain any prohibition against 'sensational or fabulous' matters, it would seem that the enactment of the new section would invalidate the board's Rule No. 311 in so far as it relates to 'fabulous and sensational' material."

I believe, gentlemen, that is the last portion of this letter which would have any significance to this body, and then I signed it. I believe that the comments contained in that communication just about express my legal analysis as to our ability to proceed against Dr. Brinkley under the present state of the law.

Q. Do you have any recommendations, Mr. Goldin, as to changes?

A. I have some, but before I venture them, may I make it clear that these suggestions are purely tentative. They are not based upon any substantial research, and are merely advanced as thoughts which might bear further investigation. I have not exhaustively researched the problems, and I don't profess to talk as an oracle on the law, but I am merely throwing these suggestions out for whatever consideration this body deems them worthy of.

Now, before I proceed to my own suggestions, for the first time this morning I did see a list of proposed legislative changes that the Board of Chiropractic Examiners now advocates. Unfortunately I had never seen them before this morning. I rather suspect that they were drafted after consultation with one of our deputies in the northern branches, but unfortunately I personally have no knowledge as to their contents, nor have I satisfied myself as to their merits, but with respect to my own suggestions of a tentative nature, I believe that a more stringent penal statute on falsifying is desirable. The difficulty with the present statute lies in the proof necessary to sustain a conviction under that statute.

Now, my second suggestion relates to the existence of a section in the Health and Safety Code, No. 26271 which deals with falsifying. That section provides that, "The advertisement of a drug or device shall be false within the meaning of this division if the drug or device is represented to have any effect on certain specified enumerated diseases." My thought would be to include in that section after the word device, the words, "or course of treatment." In other words, the type of advertising promulgated by the Brinkley interests can't be reached under this section because evidently neither drugs nor devices are utilized in that particular technique, but I believe that if there is the insertion of the words, "or course of treatment," the statute may be broad enough to then eliminate a substantial portion of the evil.

Now, I believe that that same comment that I made pertaining to Section 26271 may also be utilized in 26270 which reads, "An advertisement of a drug or device shall be deemed to be false if it is false or misleading in any material particular." My suggestion would be again to add the words, "or course of treatment" after the word "device" as appearing in that section.

Now, in other words, my suggestion stated quite simply, to make it unlawful for advertising a course of treatment as having an effect on specified diseases.

Mr. Smith: Is it course or cost?

A. It is C-O-U-R-S-E. They are not contained in the statute at present. That is purely a suggestion emanating from myself.

Now, my last suggestion follows these particular channels: I realize of course that the Chiropractic Act is one which came into being as an initiative measure, but it is my understanding that that does not preclude the Legislature from setting up additional clauses for disciplinary action against chiropractors. Now, to my mind, the fact that the chiropractic law was set up by initiative doesn't mean that the Legislature has no authority to pass legislation which supplements the Initiative Act, provided that such legislation is not inconsistent with the Initiative Act, but rather is consistent with it.

Now, I have one particular pet hate as concerns the causes for disciplinary action under the Chiropractic Act. I am not particularly satisfied with the complaint with which this body is going to be particularly concerned, but, for example, under the present state of the chiropractic law, let's assume that Joe Dokes, chiropractor, is charged with the crime of abortion. He enters a plea of guilty, but the court suspends the proceedings before the imposition of judgment. Now, it is impossible in the absence of a conviction—and there is no judgment of conviction when proceedings are suspended prior to the imposition of sentence—at the present time for the board to prove the facts of an abortion and discipline the particular chiropractor. Now, in other words, the situation may well result that you have two individuals, Joe Dokes who by the grace of God and in the court's leniency he is lucky in that no judgment of conviction is pronounced against him. We can't do a thing to him, whereas we can get the chiropractor who is convicted of the crime involving moral turpitude. Now, to my mind I think that is a pretty obvious deficiency in the law.

Mr. Rumford: You said convicted of the crime of moral turpitude?

A. Yes.

Mr. Rumford: He has been convicted. Isn't that the same thing?

A. There is no judgment of conviction in the event that proceedings are suspended prior to the imposition of sentence, in which event we have no judgment of conviction upon which to predicate a disciplinary action. If, of course, a judgment is pronounced and the execution of sentence is suspended, in that event we do have a judgment of conviction upon which we can maintain a disciplinary action. In other words, whether we can or cannot proceed may depend upon the particular point in the proceeding, which proceedings are suspended before or after the imposition of judgment. Do I make myself clear?

Mr. Rumford: You made yourself clear as far as the chiropractor is concerned, but the case of moral turpitude is not clear in my mind.

Chairman Connolly: Under the Medical Practice Act, as I understand it, the situation you recite would result differently, where disciplinary action could be imposed even though there was no guilty plea or anything else.

A. I don't purport to be an expert on the Medical Practice Act, but I am fairly well satisfied that your statement is true.

Chairman Connolly: So there is a difference between the two situations?

A. Yes, that is right.

Based upon the findings of the hearing regarding Dr. Brinkley, the committee makes the following recommendations together with recommendations regarding physical therapists:

The testimony indicates that the advertising of Dr. L. A. Brinkley, D.C., at the time of the hearing was somewhat in excess of $325,000 for the year 1950. It would appear therefore that at the present rate, the total expenditure for 1950 would be over $500,000. Testimony indicated that Dr. Brinkley's advertising consisted of quotations from publications of other persons, which quotations were inserted in the papers without the authors' consent. It does not appear from Dr. Brinkley's advertising that he definitely states that he can cure diseases which are set forth in

his advertisements, many of which are deemed incurable. The statements contained in such advertising do state that autointoxication may be the cause of such diseases. By implication, therefore, this advertising is both untrue and misleading.

It was brought to the attention of the committee that the recent Section 17500.1 of the Business and Professions Code precluded a state board or commission within the Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertising which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals the existing rules and regulations conflicting with said section. Section 17500 of said code makes unlawful the dissemination of untrue or misleading statements. It does not contain any prohibition against sensational or fabulous advertisements.

It should be noted that the Chiropractic Act, Section 10A, provides for the suspension and revocation of the license of any person who violates its provisions regarding advertising. As this section stands, there is no mention of any prohibitions with regard to advertising except advertisements to cure (a) menstrual difficulties, (b) venereal diseases, (c) sexual diseases, (d) lost manhood, (e) sexual weakness or sexual disorders or any disease of the sex organs. The State Board of Chiropractic Examiners in addition instituted a regulation known as "Rule 311," with regard to advertisements. This rule is as follows:

> "311. Advertisements Constructive educational publicity is encouraged, but the use by any licensee of advertising which contains mis-statements, falsehoods, misrepresentations, distorted, sensational or fabulous statements, or which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, constitutes grounds for the imposition of any of the following disciplinary penalties: (a) Suspension of said licensee's right to practice in this State for a period not exceeding one (1) year. (b) Placing said licensee upon probation (c) Taking such other action, excepting the revocation of said licensee's license, in relation to disciplining said licensee as the board in its discretion may deem proper."

It should be noted that Rule 311 provides for disciplinary action for distorted, sensational or fabulous statements in advertisements.

In view of Section 17500.1 of the Business and Professions Code, it appears that the board's Rule 311 has been invalidated Section 17500 of the Business and Professions Code does not contain any prohibition against "sensational or fabulous" matters, and it appears therefore that such a provision cannot be had by any rule of the Chiropractic Board.

Recommendations

I. At the hearing conducted on November 17, 1950, various members of the Chiropractic Board appeared before the committee, and at that time they requested two additions to the chiropractic section Dr. Poulsen, secretary of the board, stated to the committee that with these two additions they should be able to take care of their problem with regard to the type of advertising used by Dr. L. A. Brinkley, D C It is therefore

recommended that the following additions be made to the Chiropractic Act, substantially as follows:

(a) The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted, constitutes unprofessional conduct within the meaning of this chapter. Unprofessional conduct is defined as follows: The procuring, aiding or abetting in procuring of criminal abortion, paying for steering patients into one's office, obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well, the wilful betrayal of professional secrets of a patient to the detriment of the patient, chiropractic advertisements making false or unethical claims, conviction of any offense involving moral turpitude, wilful neglect of a patient in a critical condition.

(b) That there shall be no advertising of prices for any course of treatment; that there shall be no displaying of any internal organs in advertising; that no statements or claims shall be made in advertising that cannot be substantiated by standard diagnostic and laboratory methods; and no advertising permitted which may be construed as comparative.

With regard to the above changes recommended by the Chiropractic Board to the Chiropractic Act, the record contains testimony of Howard S. Goldin, of the Attorney General's office, that even though the Chiropractic Act is an initiative measure, it does empower the Board of Chiropractic Examiners to promulgate rules and regulations, and that the Legislature is not precluded from setting up additional clauses for disciplinary action against chiropractors. Specifically, Mr. Goldin made the following statement: "The fact that the Chiropractic Law was set up by initiative doesn't mean that the Legislature has no authority to pass legislation which supplements the initiative act, providing that such legislation is not inconsistent with the initiative act but rather is consistent with it."

II. It is recommended that Section 26271 of the Health and Safety Code be amended to prohibit the use of testimonials for the diseases listed in that section. That Section 26270 and Section 26271 of the Health and Safety Code be amended to include the words "* * * or course of treatment." Such an inclusion would make it unlawful to advertise a course of treatment as having an effect on the diseases specified in that section

III. It is recommended that a new section be added to the Business and Professions Code, under Part 3 of said code which deals with representations to the public, which section would provide that where quotations are made in such advertisements from any person or any writing, the advertisement contain a statement showing specific consent and authority by the author for the use of such quotations. That further when such quotations are used for advertising purposes, the exact qualifications should be stated in such advertisement, showing the author's qualifications to make such a statement, and also the time when such statement or writing was made by the author.

IV. It is recommended that any advertisements which contain statements that a professional man is employing doctors or specialists or specially trained nurses and technicians, etc., that such advertisement

must contain information showing what kind of doctors are employed, and what type of specialists, nurses and technicians, are employed when such advertisement contains a statement to the effect that these latter employees are "specially trained."

ALCOHOLISM

LEGISLATION FOR THE TREATMENT OF ALCOHOLICS[1]

The popular conception of the alcoholic is the "skid-row" derelict—the stuporous drunk, the panhandler, the court repeater. The problem of alcoholism is thought to be essentially one of community eyesore and nuisance. This is erroneous. "Alcoholism is no respecter of age, sex, family background, education, professional competence and success, or financial position." The skid-row derelict represents only a very small fraction of the total alcoholic population. Less conspicuous is the alcoholic businessman, the lawyer, the schoolteacher, or the skilled worker living in the suburbs with his family. Alcoholism has been the object of surveys, research, political campaigns, hundreds of laws, even a constitutional amendment. This note will deal with only a limited segment of the entire problem: the need for state legislation providing for the rehabilitations of the alcoholic. Many authorities believe that a sound rehabilitation program, in addition to serving an immediate need, is the most effective method for prevention of alcoholism. It offers an early check on incipient alcoholics and has a considerable educational influence on the nonalcoholic population.

What is alcoholism? Authorities stress the fact that it is a health problem and not a penal one. It is a resultant of two factors; the individual's original psychological maladjustment, and the depressant effect of alcohol which creates of itself new maladjustments. The alcoholic feels he cannot successfully adjust to his environment without alcohol, but actually he cannot adjust successfully so long as he uses alcohol. The problem, then, is not solely alcohol but the individual and the manner in which he uses it. When an alcoholic shows pronounced mental and physical degeneration, he is termed "chronic."

Alcoholics are to be distinguished from the social and the excessive drinker. Social drinkers are in no way dependent on alcohol for adjustment to the problems of life. They constitute approximately 94 percent of the drinking population. The excessive drinker exposes himself to sufficiently large quantities of alcohol to interfere with his job, family, or community responsibilities. But drinking has not become his major means of adjustment. The excessive drinker is the incipient alcoholic.

I. EXTENT OF THE PROBLEM

It is estimated that there were 3,750,000 alcoholics in the United States in 1945, of which 750,000 were chronic. The rate of alcoholism has increased since that time. The magnitude of the problem is best demonstrated by the financial burden cast upon the community. An estimated 3,000,000 alcoholics in 1940 cost communities in the United States approximately the following amounts: 12 million dollars for care in mental hospitals; 18 million dollars as the excess over normally expected

[1] Taken from Stanford Law Review, Vol. 2, April, 1950

cost of illness; 188 million dollars as the probable cost of crime in large part referable to them; 89 million dollars in accidents resulting in injuries and property damage; 25 million dollars for maintenance of "drunk tanks" in county jails; 21 million dollars for support of alcoholics' dependents by private welfare agencies; 431 million dollars as the total wage loss—a total of over 778 million dollars. If adjusted for the increased rate of alcoholism, the cost probably would be in excess of 1 billion dollars.

California had the highest number of chronic alcoholics per capita of any state in 1944 In 1947, there were 283,000 alcoholics of whom 71,000 were chronic Alcoholism was listed in California as a primary or secondary cause in more than 1,000 deaths in 1946—probably an underestimate Another 554 persons were killed that year in automobile accidents involving intoxicated drivers More than 1,000 alcoholics are committed to California mental hospitals each year. Now that much attention is directed toward prevention of sex crimes, it must be recognized that alcoholism is a contributing cause of these crimes.

However, California's alcoholic problem is reflected most significantly in the cost of arrests for drunkenness in our cities. California's Special Crime Study Commission found that alcoholism is one of the major problems facing law enforcement agencies today. Among 13 of the largest cities in the United States, San Francisco and Los Angeles ranked first and second in the number of arrests for drunkenness per 100,000 population in 1946. Sixty percent of the 72,000 arrests in San Francisco were for drunkenness; estimates of the cost average about 1 million dollars or approximately $23 per arrest Figures for Los Angeles are comparable; 92,000 arrests for drunkenness, representing over two-thirds of all arrests. Estimated cost to the city was 2 5 million dollars, more than $27 per arrest. This penal handling is not localized to San Francisco and Los Angeles—it is a state-wide community problem. The total cost for police measures for alcoholics in California is probably between six and ten million dollars annually. This seems conservative; the Los Angeles County budget allocation to alcoholics is over 4 million dollars. These figures are more significant if it is remembered that only about one-tenth of the alcoholic population run into impact with the police. By conservative estimate, California's share of the total cost of alcoholism must be well over 50 million dollars a year.

II. IS THERE A SOLUTION?

While it appears that a single "cure" for all alcoholics is impossible in the light of present knowledge, authorities agree that rehabilitation is possible Predictions of the percentage of alcoholics who can be successfully rehabilitated vary according to the comprehensiveness of the program and the rehabilitation goal set. For these reasons, estimates range from 40 percent to 80 percent. Success in rehabilitation is a relative term The director of the Connecticut Commission on Alcoholism asks:

> "What do we mean by success? Do we mean that under treatment patients develop complete sobriety, losing their dependence on alcohol, and become thoroughly adjusted and contributing members of the society? Or do we mean that patients are termed successes

when their addiction to alcohol has been corrected and their marital and societal conflicts are in better balance, and adjustments to them are made from an intelligent and realistic approach? There are all degrees of success."

With elimination of drinking and integration of the individual into an acceptable environment as the standard, a very high rehabilitation rate is possible through a state program. Even conservative estimates justify the cost of state intervention.

III. CAUSATIVE PATHS

An understanding of the causative paths to alcoholism is necessary in evaluating present rehabilitation measures and in the development of new ones Alcoholics practically defy complete classification. A partial categorization, however, must be made though it represents an oversimplification of the picture In general, there appears to be: (1) symptomatic drinking, (2) problem drinking, (3) habituated drinking, and (4) compulsive drinking.

Symptomatic drinkers have underlying disorders such as feeblemindedness, epilepsy, senility, or one of the psychoses. In the case of psychotics, for example, special treatment apart from that for the alcoholism is essential. It is difficult to determine whether an underlying basic disorder exists until the individual is taken away from his alcohol environment and studied The underlying disorder may then be diagnosed, and care in a mental institution provided

The problem drinker classification includes those who drink as an escape from or "solution" to some psychological maladjustment. These persons are not psychotics, rather, they are individuals with deep-seated personality problems Considerable psychotherapy is necessary either to eliminate the basic maladjustment or provide adjustment to it. The limits of this class are difficult to define.

The habituated drinker apparently has no underlying serious maladjustment or neurosis Therapy designed to interrupt established habit patterns and substitute new ones appears essential The "chronic social misfit" may be classified as an habitual drinker. He has always existed on the fringe of society, and presents the most difficult rehabilitation problem since he never knew a better life and has little desire to attain sobriety Many persons erroneously believe all alcoholics are of this type.

There also appear to be compulsive drinkers—actual alcohol addicts. Addiction may appear in connection with one of the other causes of alcoholism. They may have an acquired uncontrollable craving for alcohol, or initially had a special predilection for or sensitivity to alcohol. Much additional research probably will be necessary before an explanation for addiction will be found.

These causative paths must be considered essentially primary. There usually is a secondary reinforcing factor which leads to alcoholism or increases its severity: for example, the physical effects of a hangover may be so severe that drinking is immediately resumed to diminish the pain. In many cases the excessive drinking creates imaginary problems which lead to increased drinking to anesthetize their influence. These alcoholgenic problems make periods of abstinence essential to the success of any rehabilitation program.

We have considered briefly the complexity of the alcoholic's personality, the seriousness of the effects of alcohol upon him, and the extent to which alcoholism pervades and burdens community life. From this it is clear that any satisfactory rehabilitation program must include medical and psychotherapeutic treatment and social welfare assistance, as well as special environmental control for alcoholics. Is California meeting this need?

IV. CALIFORNIA'S PRESENT TREATMENT

All authorities concede that treatment of this problem by California's governmental agencies is inadequate. In consists, in general, of commitment to state mental hospitals and, on the local level, the "revolving door" treatment or confinement in county jails or farms.

State Mental Hospitals

Sections 5400 through 5408 of the Welfare and Institutions Code provide that upon the filing of an affidavit by any interested party, a superior court judge shall hold a hearing to determine if a person is "subject to dipsomania or inebriety in such a degree as to require custodial care and treatment." If so, the alcoholic may be committed for a maximum of two years to a mental hospital or confined in an industrial farm or road camp, or in a branch of the county jail where inmates perform agricultural and other out-of-doors labor. If the alcoholic is dissatisfied with the court's commitment order, he may demand a jury trial on the issue. Approximately 30 percent of first admissions to mental hospitals in 1948 were made under these provisions. Those who have definite psychoses, and have developed alcoholism as a result, should be treated by the mental hospitals. However, mental hospitals are in no position to handle the usual nonpsychotic alcoholic. Because of limited facilities, the mental hospitals are usually unable to segregate alcoholics from psychotics. The effectiveness of any therapy will be greatly diminished if there is no segregation. The director of one state mental hospital has observed that little more is done for the alcoholic at the present time other than "drying up" the physical need for alcohol, giving some additional medical care and limited occupational therapy, and encouraging contact with Alcoholics Anonymous. Despite this inadequate treatment, the rehabilitation rate has been reported as high as 25 percent—and if follow-up care on release were available, the rate would undoubtedly be higher. Though alcoholics may be committed for a two-year maximum term, some judges refuse to commit them for longer than a three-month period. This is inadequate for effective rehabilitation. The attitude of other courts is not to commit alcoholics to mental hospitals if they are not psychotic. Even the limited treatment facilities of a state mental hospital are unavailable to the great majority of alcoholics.

An alternative statutory method of handling alcoholics is theoretically available in California. The Inebriate Colony Act of 1939 provides for the establishment of state inebriate colonies, and allows commitment of alcoholics to the colonies. Unfortunately, no funds have ever been appropriated for these colonies.

The Revolving Door

At the local level, the so-called "revolving door" treatment is prevalent. Drunks are picked up on the streets, jailed overnight, and released the next morning—perhaps to be arrested again within a few hours and the procedure repeated The revolving door treatment is denounced as "ineffective, expensive and undesirable." It has no advocates or defenders.

In San Francisco, for example, an average of 119 drunks are arrested per day. As many as eight men may occupy an unfurnished cell six by seven feet in size. There is no need to emphasize the conditions inevitably arising from such crowded confinement. Judge Twain Michelson of San Francisco has called this "cruel and unusual punishment." Yet, San Francisco's jail treatment is not unusual. Ninety-seven percent of all those arrested are released the next morning without further consideration. Those who are so sick or battered that they cannot maneuver on their own go to a county hospital for medical care but receive no treatment for the alcoholism itself. Though no records have been maintained, 153 persons interviewed in the San Francisco jail had been arrested an average of 50 times per person. Those whom the judge recognizes as chronic repeaters or who volunteer may receive short-term sentences to county jails or farms. Short-term sentences are relatively worthless for rehabilitation purposes since treatment for the alcoholism is rarely given.

County Rehabilitation Centers

The Welfare and Institutions Code was amended last year to provide that "Where a rehabilitation center for the care and treatment of inebriates" is maintained by a county, voluntary patients may be committed to it without a hearing. No provision had previously been made either at the state or local level for voluntary patients. A number of counties maintain farms or work projects to which alcoholics and other prisoners may be sent. Confinement to a farm or work project may be beneficial where rehabilitation treatment is given. However, at the present time, only Los Angeles, Alameda, and San Francisco counties appear to have "rehabilitation centers" which could qualify under the new code section.

Neither this commitment procedure, nor the revolving door treatment offers much encouragement to the "hidden alcoholics"—the estimated 9 percent whose behavior has not yet brought them into contact with law enforcement machinery. A proper expenditure of the money presently wasted upon such a grossly inadequate handling of the problem might well result in a great reduction of the number of alcoholics, and perhaps, in an eventual elimination of alcoholism as a major health problem.

V. RECOMMENDED PROGRAM

At least 23 states now have statutes providing for public education, investigation, or some treatment of alcoholics. The programs in Connecticut, New Hampshire, and the District of Columbia seem to be among the most advanced. Current activity indicates that other states may enact legislation during 1950.

The 1949 session of the California Legislature witnessed the presentation of bills covering some aspects of a rehabilitation program This was the first major demonstration of California legislative interest in

the subject of alcoholism. State action is necessary to insure adequate standards in rehabilitation, obviate the inertia of local governments, avoid wasteful duplication of facilities, cope with the problem of the alcoholic "floater," and provide facilities which local governments could not or would not finance independently.

Administrative Machinery

One authority recommends that the commission be an independent agency rather than one incorporated within an existing department. This would give more adequate recognition to the importance of the problem. However, balanced against the advantages of an independent commission is the general reluctance to create new agencies and multiply administrative costs. The consensus at the recent San Francisco meeting of the Assembly Interim Subcommittee on Alcoholism seemed to be in favor of establishing the machinery within the Department of Public Health.

The commission—whether independent or incorporated in an existing department—should be given full power and adequate finances to inaugurate a basic program and expand as further experience and research dictate. It should be given wide discretion. To tie its hands with an inflexible detailed program based on present experience and surmise, would impede development of new treatment methods. However, it is necessary to understand the basic features of a workable rehabilitation program in order to draft a proper enabling statute.

Apprehension and Screening

The initial concern of a rehabilitation program necessarily is to provide machinery to bring the alcoholic under the care of the commission. A screening center should be established employing full or part-time medical, psychiatric, and psychological services At the screening center, patients would be given necessary medication by an attending physician and kept overnight. In the morning, they would receive a thorough mental and physical examination Social drinkers could be separated from the alcoholics and incipient cases. Clinic personnel would prepare case history records and recommend further disposition for those in need of treatment. No state has, as yet, this type of facility for the screening of all alcoholics.

The screening center would receive alcoholics from three sources: (1) police arrests for drunkenness, (2) apprehension upon affidavits filed by family, friends, or other interested persons, or (3) voluntary application for treatment.

Our initial problem is to eliminate the revolving door, yet maintain the police apprehension of drunks. The revolving door is authorized by the California Constitution which permits local governments to enact such police, sanitary, and other regulations as are not in conflict with state laws To make this local procedure illegal, the Legislature must: (1) repeal Section 647(11) of the Penal Code which makes drunkenness a penal offense; (2) designate the alcoholic to be a health problem and subject to compulsory screening and treatment; and (3) provide that persons found drunk in a public place must be delivered immediately by local police authorities to screening centers to the extent of the commission's ability to handle them.

Clinic screening is preferable to the drunk tank since it offers early diagnosis and prevention. In the beginning, the excess above the program's capacity could be handled by the local governments in the usual way to insure some protective custody—an unfortunate, but necessary measure until adequate facilities are established. The continuation of the revolving door, or some modification, by the local governments for this excess would be legal since the state law conflict occurs only as to those for whom adequate commission facilities are available.

The commission should be empowered to order the apprehension of hidden alcoholics upon the filing of affidavits by friends, relatives, or other persons. The threat of a civil suit would protect the individual from affidavits being filed that are not based on reasonable belief An alcoholic should be defined, for legal purposes, as:

> "Any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages, or while chronically and habitually under the influence of alcoholic beverages endangers public morals, health, safety or welfare "

Legislation should authorize the commission to accept voluntary patients for screening. Hidden alcoholics are often keenly aware of their need and desperately in search of help. Sympathetic personnel and an attractive physical plant will be invaluable in encouraging them to submit voluntarily to treatment.

Alcoholics arrested for criminal offenses probably should be screened by the clinic, as well. This procedure would enable the court to make a more intelligent disposition of cases. Commitment to a course of treatment for alcoholism would often be desirable in addition to or, in the case of minor offenses, as a substitute for jail sentences.

Commitment

Within a "reasonable time" after the alcoholic arrives at a screening center, the commission should be required to initiate commitment proceedings or release the alcoholic

Symptomatic Drinkers. For those who are diagnosed symptomatic alcoholics, the commission should be empowered to institute court commitment proceedings to mental institutions under Division 6, Part 1 of the Welfare and Institutions Code. The commission should not be charged with the care of these alcoholics since other agencies are trained and better equipped to handle them. The court's commitment order should provide for transfer of the patient to the commission's care where subsequent guidance under the alcoholism rehabilitation program becomes feasible.

Other alcoholics.—Legislation should be adopted requiring the courts to commit all other alcholics to the care of the commission. The commission should be given the exclusive authority to institute such commitment proceedings. It would be undesirable to provide for jury trials since the question whether or not an individual is an alcoholic is one for experts. Jury trials are time-consuming and expensive. They are not a constitutional requirement in inebriacy commitments

Commitment even by a court has undesirable aspects, however. It would be somewhat cumbersome and expensive under a large-scale program. The "criminal" nature of the proceedings would tend to have a negative effect on the alcoholic and increase his resistance to treatment. Since the alcoholic was diagnosed by the screening clinic, it would be desirable to create a commitment board composed of its professional personnel. They would be most qualified to determine the need for treatment. This would eliminate the penal flavor of court procedure and avoid multiple handling. Commitment by such an administrative board does, however, raise some important constitutional problems which would have to be considered by the Legislature before adoption. Whether the board or the court commitment procedure should be used depends upon whether the desirability of a board commitment warrants the risk of a court battle over its constitutionality.

Term of commitment.—Whether the courts are to continue handling commitment procedures or authority is placed in a board, legislation should require the committing authority to detain an alcoholic for some minimum period of treatment. The judges who are reluctant to commit for a longer period than three months seem unaware of the complexity of the alcoholic's problem. Mandatory indefinite commitment—until satisfactory rehabilitation is achieved—would be even more desirable than a minimum sentence. The commission could release the alcoholic on probationary status after short confinement. To protect against unwarranted retention, the alcoholic should be given a right to petition the commission at certain intervals for a hearing on the question of whether he is entitled to release. The commission should not have discretion to deny a hearing. If no administrative remedy is provided, however, the writ of habeas corpus would always be available on the ground that once he is "cured" he would no longer be subject to the commission's jurisdiction.

Treatment

After screening is completed, and the alcoholic has been committed to the care of the commission, the actual treatment would begin. The rehabilitation program should have four main functions: (1) medical care, (2) psychotherapy, (3) coordination with social welfare and other agencies, and (4) research.

Medical care.—It is clear that there can be no successful rehabilitation without providing medical care for the alcoholic. As one authority states,

> "The physical condition of the alcoholic * * * will often be poor. * * * For some days or weeks, or longer, the individual is likely to have had insufficient and irregular food and rest, suffered from one or several accidents, and lived in a state of emotional uproar. There may be accompanying conditions not directly related to the spree, e. g., arthritis, head injuries, skin disorders."

It will be essential to put him in a proper physical condition to respond to the treatment of his basic psychological problem. This is particularly true in the case of chronic alcoholics, where the need for medical care is imperative.

Medical care could be provided in general hospitals. This, however, presents a threefold problem. There is a general shortage of present hospital space; hospital care is expensive; there is a reluctance on the

part of hospitals (and physicians) to accept any alcoholic for treatment. An unsympathetic attitude will impede successful rehabilitation. Since hospitalization is usually necessary only for short periods some provision might be made for medical treatment in the screening clinic, or in facilities set up for psychological treatment. Where medical care and psychotherapy can be administered simultaneously, speedy recovery will be aided. Arrangements for long-term care in hospitals could be made for the exceptional cases.

Psychological care—Treatment of the alcoholic's underlying psychological problem may range from complete psychiatric treatment in an institution to informal guidance on an outpatient basis. Though symptomatic alcoholics would not be handled within the commission's treatment program, there should be cooperation with mental institutions to secure the maximum treatment for the alcoholism consistent with the special treatment necessary for the mental disorder. Permanent institutional care may be necessary in extreme cases of chronic alcoholism.

At the next level are patients who, though nonsymptomatic, need intensive psychotherapy. They would be poor rehabilitation risks if allowed to remain at large, and should be removed from the streets to eliminate the cost of the present revolving door handling. Many are presently unemployable, without families, or other responsibilities. They require a controlled environment. Treatment should include physical rehabilitation and psychological guidance to encourage self-confidence and responsibility, as well as occupational training for placement in favorable outside environment. A farm probably would be the least expensive method of providing a controlled custody since inmates could be relatively self-sustaining. Alameda County, through its Santa Rita farm, is presently experimenting with the possibilities of such a treatment center.

The alcoholic who shows sufficient promise at screening should be treated on an outpatient basis. Many, perhaps most, alcoholics will be rehabilitated by this method alone. It is the core of the program. Alcoholics who receive institutional, farm, or inpatient treatment must also have this outpatient follow-up care if they are to retain sobriety. An outpatient clinic would conduct periodic guidance interviews and aid in the alcoholic's adjustment to his environment. Treatment and screening clinics often could be combined to prevent duplication of personnel and plant requirements. A study of the facilities established by the Yale group, as well as the clinic recently inaugurated in San Francisco, will be valuable in planning clinic layout and procedure. In small communities where the alcoholic load does not warrant a full-scale independent clinic, it might be expedient to incorporate a screening and treatment clinic within existing hospitals.

Coordination with other agencies—Clinics would also have an important function of coordinating the services of various social welfare groups such as Alcoholics Anonymous, which has proved to be of enormous aid in rehabilitation. These agencies may help provide the vital need of the outpatient for food, clothing, shelter, and satisfactory employment, as well as help in expanding his social contacts and interests. Re-education of the alcoholic's family to change their attitude toward him may be necessary.

Research—Various organizations have endorsed an Assembly bill appropriating three million dollars for the construction of two 250-bed research hospitals for alcoholics. This would be one practical method of insuring a continuous, concentrated inquiry into the cause of alcoholism. In the long run the development of inexpensive, improved techniques might justify the cost. However, large institutions have generally had poor rehabilitation success. Many states which established hospitals subsequently abandoned them. It seems advisable to postpone this proposal until the commission acquires more evidence of the need for such hospitals. It is possible that use of outpatient clinics and farms may prove so successful that these research hospitals would be relatively unnecessary. The incorporation of inpatient facilities in the treatment clinic will give an opportunity for some research.

Financing

The cost of a state rehabilitation program will ultimately depend on the decision of the commission as to the type of treatment facilities that are to be established. To the extent that existing city and county facilities can be utilized by the commission, the cost of a state program may be reduced. The initial appropriation should be sufficient to allow the inauguration of pilot programs in key areas. When subsequent commission estimates are available, the Legislature must provide adequate financial backing if the rehabilitation program is going to be successful. The fate accorded the 1939 Inebriate Colony Act should not await the new program. A provision for an assured percentage of state revenues, perhaps from liquor taxes, would avoid uncertainty in planning. If the commission is placed under the authority of an existing department, separate funds should be maintained. Otherwise, the funds might be siphoned off for other projects of the department.

The commission should be authorized to fix the cost of treatment per patient and require alcoholics with financial means or those liable for their support to pay for this treatment, in whole or in part. Alcoholics usually are quite willing to pay for their treatment and could often do so after they are rehabilitated. The commission should be authorized to accept gifts or grants from any source consistent with the legislative program.

VI. CONCLUSION

Alcoholism has become one of the most serious and complex health problems in the United States today. Only a small part of its burden can be measured in terms of money; even that totals hundreds of millions of dollars yearly. The problem is especially acute in California, where the rate of alcoholism is the highest in the Nation. Most people have some idea of the seriousness of the situation; most people are *not* aware of the fact that a considerable percentage of alcoholics can be rehabilitated if given adequate treatment. California's attempts to deal with alcoholism are completely inadequate. The present legislation which treats alcoholism as a penal problem should be abolished. A commission should be created with full powers to establish and operate a state-wide program of rehabilitation. The cost of such a program would not be small, but it could not approach the cost of alcoholism—over 50 million dollars a year in California alone.

LOS ANGELES MEETING

October 13, 1950

The first speaker to testify before the committee was Dr. Lawrence Kolb, Deputy Director of the Department of Mental Hygiene, who testified as follows:

"It is difficult to separate the acute from the chronic—one runs into another. We have given this matter a lot of thought in the department, and to start off, I might mention that we do do something about this already in the mental hospitals. I have prepared a table here which may be of interest to you, the admissions during the year of those who are insane with alcoholism, and those who are just chronic alcoholics. Also, what the other states do might be of some interest perhaps. We think several things should be done about chronic alcoholism, perhaps through the department, but I do not feel we can handle this alone, because there are probably two to three hundred thousand people arrested in the State in a year for drunkenness. The largest problem to be handled is the local problem of cities and counties. You cannot disassociate the police factor from this problem all together, although it has been stressed too much, we think.

"One of the most important things is prevention. We, of course, have been working on the treatment angle of it. We believe a better education on alcoholism would help to a certain extent and that education should be given in the schools more than is now given, so that children during the impressionable age when things sink in on them would get an accurate idea of what excessive drinking does, and would be more careful as they go on in life about drinking to excess and becoming alcoholics.

"In this connection, you can never tell in the beginning when people start to drink which will be chronic alcoholics. There is apparently nothing to size up a person to show that those personalities are different from those who do not become so. We know that the social environment and the conditions people are up against often start their drinking. We believe some people are especially sensitive, both psychologically and physically, so the more we can do to prevent them from indulging socially, the fewer we will have. So, education is one of the features which would have an effect on this thing.

"Another thing I think, and I think the department agrees, is making it more difficult for people to get drinks. I believe we did have a wartime closing hour of 12 o'clock. That was a very simple thing but after it went out of effect, highway patrolmen noticed that the highway accidents had a curve up. They attribute that to excessive drinking. I think that modifying the law to restrict the hours of sale would be helpful. England, as you know, put this on during the first world war and they have kept it because it was so effective, and I think that method would be effective in reducing excessive drinking.

"On the treatment level, we believe in the Department of Mental Hygiene that outpatient clinics would be a preventive, as well as a treatment measure, for people who have gone on to chronic alcoholism. We can't handle the total program in hospitals, as Mr. Connolly has stated, but some hospitalization is desirable, even for chronic alcoholism. The thing we have had in mind for several years was two small hospitals—one in the north and one in the south—where we would treat a few alcoholics

and do some research about it. We do not know everything about this thing. We could use these hospitals also in connection with the university educational program. As we have thought about it, more and more, we believe these hospitals should be in Los Angeles and San Francisco, and I have been thinking maybe 100 beds would do, and then have a large outpatient department operated by the State where we would treat chronic types after they leave the hospital, with certain kinds of treatment. That would be one help the State might give while it was studying it, while also treating the patients more intensively at these hospitals than we were able to in the large state hospitals. We used to take them into the state hospitals and practically nothing was done for them except abstinence. Nothing was done in a therapeutic way about it, but now we are carrying on, as you probably know, we are using group psychotherapy on these people and at all of our hospitals we have Alcoholics Anonymous clubs. We encourage them to join Alcoholics Anonymous groups after they leave the hospital.

"There have been various thoughts coming up in the department and perhaps they come from the outside, about an Alcoholic Commission to study the subject and establish clinics, etc., and I don't know but what it might be a good idea, but we believe the participation of the State would be a good thing. I do not know just in what manner, but I think in small hospitals here and there. As an illustration, in Boston they have the Washington Hospital which is not run by the state but by a local agency. It has 45 beds and patients come there both on a voluntary basis and by temporary commitment. They have to stay at least three days to sober up and take some psychotherapy. The temporary commitment is for three weeks and psychotherapy is given. The average stay is from a few days up to a year. That hospital has an organization in connection with the social activities and the various agencies of the city. They have encouraged their patients' participation in Alcoholics Anonymous and have really done a very good job. It is quite an alcoholic city—equal with our cities here, which is saying something! That is the type of institution which can be useful.

"There is another thing which could be done about the acute cases which are continually being arrested by the police—we have heard about cases where men have been arrested once or twice a day. We think all public hospitals should have beds set aside for the treatment of acute alcoholism. We feel much could be done about them during that particular time to interest them in trying to lead sober lives. The American Hospital Association has recommended that all hospitals have at least 3 percent of their beds set aside for the treatment of alcoholics. Of course it adds to the expense; those people are difficult and nobody wants them around. Even the doctors get discouraged because of the repetition of their visits. But there is a problem there which should be met.

"New York City has this developed very nicely. Every one of the municipal hospitals takes acute alcoholics, either on a voluntary basis, or they are brought in by police who take them there instead of to jail. That is in line with the very small arrest rate in New York. Several states have established commissions. The District of Columbia has a commission authorized to open clinics and operate them. They have done it.

Virginia just recently established a commission, a year or so ago. Whatever is done, I do not think we need very large hospitals, and I believe the Department of Mental Hygiene should continue to take alcoholics in its mental hospitals. While some people get discouraged about their returning over and over, they do occasionally—often, they have success in the treatment of these cases. The fellow who goes out and doesn't come back again we do not hear of at all. Whatever we do about these two hospitals wouldn't interfere with what we are doing now in the mental hospitals. Some states have previously established hospitals and have received quite a bit of criticism because they have all closed. That is true but the reason for closing these so-called inebriate hospitals was that they were never really hospitals at all That hospital attitude which people have, including many physicians, to alcoholics prevailed in these special institutions in New York and Minnesota (some years ago) so that if a person was in there once and became alcoholic again their attitude was—well, we gave him a chance, now let the police handle him. That is the wrong attitude. Our failure in the treatment of alcoholism is due to our ignorance. People are treated and cured even after numerous returns to institutions. If they were treated adequately by understanding people, with these organizations like Alcoholics Anonymous, etc., cooperating, and if there was then some follow-up by social workers, many hundreds would be rehabilitated which are not now. We do not say we can promise to cure all of them with our present knowledge. It would take too much time to expect even the best psychiatrist to cure all. Some are cured by different psychiatric approaches and it is difficult to tell in the beginning which will respond. Some have extreme neurotic backgrounds; others have other types of backgrounds; and in some cases it is really a man's environment which tempts this man over and over again. Family situations can sometimes be adjusted to help people over their difficulties.

"I believe that is the substance of what I have to say; and I would emphasize that I think those two hospitals with 100 beds would be a very good thing for us to have in our two large cities."

Assemblyman Connolly: Doctor, these small 100 bed hospitals which you speak of—they would, as I understand it, provide outpatient services, as well as inservice?

Dr. Kolb: I think we should have an extensive outpatient department—larger than the inpatient. Keep them a few weeks or months and follow up by outpatient. Lots of patients who never come on an inpatient basis could come on an outpatient basis.

Assemblyman Connolly: Have you any theories on the commitment procedure—or the absence of it?

Dr. Kolb: I would treat some of these people voluntarily, and I would establish this temporary care treatment, such as they have in Massachusetts at the hospital in Boston, and I would continue the present treatment we have to apply either to this hospital or to the mental hospitals. The only modification would be voluntary commitment and this temporary commitment for three weeks for a person on the application of a regular police officer. A patient could be taken in, desensitized, and interested in some kind of treatment. Also, have all we do have now, whether they keep them for a period of two years—I do not think a two-year confinement for an alcoholic has any particular merit, except in

rare cases. We do not keep ours. I think the average is about three or four months and, of course, they do not get the intensive type of attention that we visualize for persons who come to these two hospitals, contemplated hospitals, for intensive treatment.

Assemblyman Rumford: Doctor, I would like for you to elaborate on your program of education, if you have any. You probably have some ideas on it because, regardless of how many people we are * * *

Dr. Kolb: I do not know just what the schools do now, but the thing has been studied and written up in various journals, but so far as I know, no state now has any school for that purpose or any schooling. I would teach these children just the actual facts without any propaganda to it. I think that such an approach as this would have an effect upon children who now see so much drinking by their own relatives, by their fathers and mothers, and nothing has happened. If we draw a lurid picture for them, I don't think it would have any effect, but if we can teach physiologically in the schools what it does to the body, I think we would be getting somewhere. Give them actual figures such as I have here. For instance, 7 percent of those we admit have alcoholic insanity. Then if we can teach them what it does in crime and social disorders—very, very serious things like homicide, sex crimes, and other things—most of these crimes and acts are committed by drunken persons, even those of the homosexual nature. Many people have that nature but it is never expressed until they get drunk and then it comes out, and at that time they are liable to commit a sex crime. Some studies have been made along this line and in New York a report by Ralph Dena shows that many homosexuals committed sex crimes while under the influence of alcohol. These things should be taught in the schools—the social disorder that chronic alcoholism brings about, together with the physiological effects, and the low-down criminal and immoral effects.

On the larger level, I am thinking that in the Department of Mental Hygiene, in our central office, we should have more organization, more facilities, so that we could make real studies of these things, and by talks, pamphlets, etc., give the people the facts. Give the people in a factual way—not by propaganda—such facts, so that everybody would appreciate these things—including the physicians. It is startling how little information they have if they are not psychiatrists on the subject of alcoholism.

Assemblyman Rumford: Do you know if the State Department of Public Health is conducting an educational program on this?

Dr. Kolb: No, I do not think so. Of course it could come from there. They do publish a health pamphlet here and there.

Assemblyman Connolly: So far as I know, the Department of Public Health is not doing anything on it at all, and as a matter of fact, there is the problem, assuming we want to take over this program—it is a question of which department should take it over, and that takes us into the commission set-up like Connecticut has—an independent commission. We probably wouldn't want to go into that but there is a difficult problem right now as to whether the Department of Public Health or the Department of Mental Hygiene is the better to administer the program, whatever it might be. Certain aspects of it fall in one department and certain others fall into the other.

Dr. Kolb: I think our department could perhaps handle it better because we have a nucleus of people trained in that work and, of course, if those hospitals should be established, I think we should operate them. I think that Public Health should cooperate, and, of course, there is a provision of law where the Health Department is authorized to cooperate with us and we with them.

Chairman Thompson: On this education side of things, I have noticed among certain nationalities where they use wine, more or less. The wine is available to children at an early age. In a great many cases I have seen these children grow up and they have had it before them all their lives. From my observation, a great number of them do not drink.

Dr. Kolb: That is true. In Italy, for instance, if you cannot get water, you always have wine and they do not have much chronic alcoholism. Perhaps that race is a little less sensitive than some others. Then too they are perhaps too poor to buy strong drink. That may be why we have so much more drinking, because we have prosperity. That is the temptation. That is something you can't get away from—prosperity does increase temptations.

Assemblyman Thompson: Isn't wine and winos one of the worst forms of drunkenness in this country?

Dr. Kolb: They call these people winos who drink wine and become drunkards. Some people say there is a difference, but I don't know why there should be any difference on going broke over wine or liquor. Probably the difference is that these people are in a different social strata. They get the wine and just drink and drink it because there is plenty of it. The difference in their social strata and environment all together is probably attributable to the wine rather than to the alcohol. Perhaps there is a difference between what wine will do to you and just plain ordinary alcohol. There is this possible difference—wine does have some vitamins, whiskey does not. That may make some difference.

Chairman Thompson: What I am getting at is this: Here is a nation where wine is their main drink, where they do not have as great an alcoholic problem as we do Over there wine is their drink and yet wine over here is creating a difficult situation.

Assemblyman Connolly: There is a great difference. The French, for instance, most of them will dilute their wine with water when they drink it. Our skid row people buy the most highly fortified wine and drink it straight The people who have been brought up with it, dilute it.

Chairman Thompson: When we go into that from the educational standpoint, would they teach them it is a sin to drink—if used in moderation?

Dr. Kolb: I don't think we should teach them it is a sin to drink unless you can say it is a sin to put anyone in a situation where he can go to the dogs. I think we should teach people the truth, however, that you can never tell in the beginning when people get into a social environment of drinking, who is going to go to excess. You know there are a certain number of people who drink socially and get into tempting environments, who will go on and on, and others won't. You no doubt have heard this before—women do not go on and on to the same extent as men do because it is the wrong thing for a woman to get drunk. It is supposed

to be morally and socially wrong, so not too many do it. Among the Jews there are not many alcoholics. Apparently they teach that it is a low down thing to get drunk, and maybe they are not as sensitive as some other races Maybe they have come through the ages drinking moderately, and something has gotten into their heredity and environment where they can take it moderately—and maybe they have lost their sensitivity to alcohol. The northern European races apparently do not have any of that immunity. They are all heavy drinkers and are alcoholic races. The Irish and the Swedes all have a great deal of alcoholic psychosis, whereas the Italians, for instance, just don't. We do not have enough French to make any particular study but perhaps they do have less, but they do drink a tremendous amount of wine in France. Probably the alcohol they consume is more than here but they perhaps also drink more wisely than we do here.

Assemblyman Connolly: In this program problem, at our hearing in San Francisco the people there, at least some of them, were of the definite opinion that because of the nature of the problem, and for various reasons connected with it, it would be better for the State to provide funds to the local communities to maintain clinics of their own rather than for the State to embark on its own program.

Dr. Kolb: Well, I can express this opinion that the State should not go into every county and city and set up clinics. If there are clinics of that kind to set up, I think the State should help with funds to the counties and cities. I certainly do not see why the State should set up clinics to treat thousands all over the State It wouldn't be done any better, and it wouldn't encourage the counties and cities to do it unless they received some help with funds.

Assemblyman Connolly: You think operation of the clinics by local authorities with financial assistance from the State, coupled with the small 100 bed hospitals for research and treatment, would be a good combined program.

Dr. Kolb: That would be a good combined program, I think. Surely I do not think the State should go on to a tremendous program of hospitals and clinics. Every county does it differently, and somebody may come up with a different idea which might be very useful. With a variety of approaches, we may come up with something entirely new in the way of treatment.

Assemblyman Connolly: Our only problem from the legislative standpoint is this, we might find ourselves in a position where we couldn't do both and we would have to decide between them.

Dr. Kolb: I don't think we should go beyond the little intensive treatment centers at the present time, and perhaps set up some little organization to continually intensify the educational program. Of course we probably would have to educate the educational people to the desirability of increasing that kind of education in our schools. I often speak of the analogy between the social outlook on alcoholism and drug addiction. We have the feeling a drug addict is the lowest thing on earth. As a matter of fact, he is generally much safer than an alcoholic. You read accounts of how they capture $3,000,000 worth of narcotics. It makes me mad because the idea is foolish. I find it is about $300 at the wholesale price but the newspapers publish that fantastic figure and the people think that

drug addiction is a terrible thing. If the newspapers would publish that somebody murdered three people and found it followed heavy drinking—if they reversed it—that a drinking bout caused three murders, that would be the educational thing to get into the homes. I talked to a newspaper man along that line and he said they knew that, but if they did that everybody would accuse them of advocating prohibition. I do not think that is the attitude we should take, but I think the newspapers should join with us and emphasize that drinking causes many of these things. That fellow who was executed from Sonoma—he was drunk when he did that. In all articles you will usually find that in the last paragraph alcoholism is mentioned. That is the thing, the cooperation of the newspapers, which would help build up the social attitude toward excessive drinking. We should have in our departments, and I haven't quite decided what—some increased personnel, perhaps one person who could collect statistics on those things, make talks about them, and if we could interest the newspapers (which I do not think we could do) but draw them to the attention of the public, it would have a great deal of effect—just making the people really conscious of what too much drinking will do.

Rumford: Would you handle that through Public Health or Education?

Kolb: It is hard to say. We want perhaps to get together with the Education people, perhaps through the physiology courses in the schools. The ones I have seen are not adequate. They have the wrong approach.

Rumford: That preventive thing, I think, is very important.

Dr. Kolb concluded by stating that he felt a program of rehabilitation for alcoholics should be part of the permanent program of the State and he, himself, would continuously advocate it.

Next to testify was George Reick, Vocational Rehabilitation Officer with the Department of Education, who testified as follows:

"The last four years I have specialized in the rehabilitation of chronic alcoholics. I went to Hopkins five years ago for research and also to Yale for summer school this year. I have recognized the alcoholic as being handicapped and therefore eligible for our services, and have received referrals from Northern California and have worked closely with the alcohol clinic in San Francisco and get referrals from there.

"In Connecticut they took over a clinic in 1945 and only recently did they get a 50-bed hospital, but they have been doing some wonderful work. The State of Virginia is doing a very good job I think information and education centers by the State for the individual where he is interested in doing something about his problem so he can come and get information and be referred to the proper places for further help is necessary. This is an over-all problem. It is not only mental. Not many of these alcoholics are actually mental cases. I think the Department of Health could handle that and open beds in the general hospital for chronic alcoholics. Now the San Francisco General Hospital will accept acute cases on the recommendation of the Alcoholics Anonymous. I have a man in my office who is about ready to go to D. T.'s, and I can't do anything about him. If we had a clinic to follow the individual up with a physiotherapy and group therapy, it would be helpful. The follow-up is very important. To take a man to the state hospital for 60 days won't do him much more good

than sending him to jail for 60 days. I get referrals from the hospital before the men leave the hospital. I try to meet them at the bus. Quite often they don't arrive in San Francisco but get drunk on the way down. I have had many cases that way. I get them and take them to a hotel, guarantee them a place to eat and sleep and make an appointment for him to meet me the next morning, but they don't make it. They go out and get drunk. The San Francisco Hospital is doing a good job. A man who has been drinking for a number of years has physical ailments, not from alcohol but from nutrition. It is a definite physical injury then."

Connolly: Your idea then is more along the line of the local outpatient clinic with follow-up therapy?

Reick: By the State, rather than by the community. In the first place, the community will never appropriate enough money and when it does, they will look for a clean-up of Skid Row. There will always be those people, and we can't help it. Skid Row is the least part of our problem. In San Francisco we have more chronic alcoholics on Pacific Heights than we do on Third and Howard Streets. That is the least of our problems. The individual who hasn't quite hit that bottom and who knows that he is at the point where he is going to hit Skid Row if he doesn't do something about it, is the one we can help most. That is not peculiar to any age group—most of them are in their thirties. We hit a few under 30. But it takes 13 years or more to make a chronic alcoholic, so we don't have too many in their early twenties. The doctor's idea on education is very important. We have had some of our teachers go to Yale or Harvard and study the problem. They are doing that in Utah and several other states. They go to school and then go back and teach the other teachers. I frequently go into the schools and the students are interested. I give them straight facts about what can happen. We have about 65,000,000 drinkers in the United States, but only about 4,000,000 chronic alcoholics. There are people who are inadequate in the beginning, and use alcohol as a means of escape.

Connolly: Do you have any set idea as to how the State should start out on this program? You stated that you consider the State should do it. What would be your ideas?

Reick: I would say as a Bureau of Public Health and in connection with the university hospitals. Open outpatient clinics where the alcoholic will voluntarily come for treatment. Have beds in general hospitals for alcoholics without too much red tape to get in there. The first step would be information and education centers in the large cities where the individual can come and ask, and with a knowledge of the problem he could be referred to the proper agencies for help. There are alcoholics who want to quit, and don't know how to do it. And there should definitely be an educational program in the schools.

Connolly: That could be set up under the State Department of Public Health Information Centers for the general public.

Reick: Just getting a man sober isn't enough. He may be sober and out of a job. Also, the job he may be doing may be a hazard. It may be causing the alcoholism. I had one man who was vice president of a bank and he was discharged for drunkenness, as far as the bank was concerned. He was referred to us and it was found the job was too much responsibility for him. He has been sober now for two years and has a

good job—not as a bank vice president. But I think in the clinic we need more than just a psychiatrist.

Connolly: Our problem of course is that the State Department of Public Health doesn't operate in the hospitals, whereas the Department of Mental Hygiene is already doing that.

Reick: I am advocating the use of the general hospitals that we have now. The State is appropriating money to the county hospitals, and the counties are accepting alcoholics, and they should be allowed to go there for help.

The next to testify was J. A. Sullivan, Department Counsel of Mental Health of Los Angeles County, who stated: "Since I talked before this committee in San Francisco there has been a survey made of Los Angeles County by Yale University. Dr. Marcus Grahan was appointed to head a committee interested in the problem of alcoholism to see what could be done in Los Angeles County, and the committee asked the Board of Supervisors for $5,000, which was granted. Yale University brought a staff of men out here on a survey, and the final report has just been released. I have five copies here which I want to turn over to you. As I stated before, our primary need is for something to be done in California, and I believe that the most immediate thing needed is clinics. The cost of the clinics could be afforded by the larger cities but would work a hardship on the smaller communities, and if the State could see fit to go in with them I believe we would have clinics that would do a great deal of good. I have often made a statement that 50 percent of the alcoholics are not alcoholics. It is symptomatic of some other disease. The remaining 50 percent would be treated for alcoholism and with a smaller number, we could accomplish more. I believe there should be a set-up in the State of California to attack it on a state-wide basis, and such recommendations as they would make would probably be a good basis for the Legislature to follow out.

"The alcoholics flock to the centers in Los Angeles and San Francisco for treatment. I was back to Yale this year for the course. Connecticut has built a 50-bed hospital in Hartford. The 50-bed hospital seems small, but it isn't, it is large. As large as we would need in Los Angeles or San Francisco, because you only hospitalize the alcoholic for three or four days But that is going to be a center for an outpatient clinic, and I think nine-tenths of the good will come from that clinic basis. Any hospital could be on a 50-bed basis until they were tried out. That is all we need."

Connolly: Can you summarize what the report of the Yale people was?

Sullivan: Very much along the same lines as I have just given.

Connolly: In other words, they favor the outpatient clinic.

Sullivan: Yes. That is considered the primary thing in the whole program.

Connolly: Dr. Kolb spoke before you came in. He expressed the same idea on the basis of local clinics, and then he added the suggestion of two small state hospitals in the two metropolitan areas which would be a center of research and study and education. Does that sound logical?

Sullivan: Yes. Our ideas agree exactly, because we are both working for the same thing. My ideas are not my own. They are from everyone else.

Connolly: The one thing we don't need is a big state hospital out in the country someplace to help the alcoholic.

Sullivan: That is right.

Rumford: I wanted to bring forth these two points: that we are faced with an acute shortage of beds for the chronically ill now, and we are faced with the proposition of raising money. I am sure you consider these things.

Sullivan: Very much I have one other point that has never been stressed very heavily, and that is the need for research into alcoholism. Practically the only thing that has been done is at Yale University.

Dr. Norman Nelson, Assistant Dean of the U. C. L. A. Medical School and Associate Professor of Preventive Medicine was called upon, and he spoke as follows:

"My field is preventive medicine, and I have been interested in this since 1947. I came out to U. C. L. A. then. The county board of supervisors were interested in something being done in this field, and we organized to find out how much we knew about the subject and to bring what we knew to the commission. Since then we have been interested in it from various standpoints.

"I want to substantiate what has been said about combining basic research with the active treatment of these people. Let me point out that at the present time Dr. White, who came to U. C. L. A. from Yale, has been doing a very interesting bit of research on different types of alcoholic beverages. He has had 40 sent to him, totally unlabeled. He has been testing them on various types of tissues. And he has found, interestingly enough, that some of these beverages seem to increase the rate of the enzym systems in the body. In other words, we know that sclerosis of the liver is due to the fact that we have an interference in the metabolism. Now certain conditions that may result in these winos might be entirely due to products that are present in certain types of wines and not in others. The direct result of such an investigation is to determine what it is in these various beverages that destroy enzym systems or enhance them.

"I am not here to represent the University of California, but if I am called upon I feel it is my duty as a private citizen to point out these things. We have to have the facts as we go along. We need these basic researches before we can do anything that would be of advantage to the people."

Connolly: You feel research should be conducted jointly with the rehabilitation?

Nelson: I certainly do. Where we can follow these people and see how much good we are actually doing. We should have a continuous organization where we can find out and keep track of what is happening to these people. To do so we must think of it from a preventive aspect. Dr. Kolb and I have had many talks on this.

Thompson: How much follow-up is there when the patients leave the mental hospitals?

Nelson: I think Dr. Kolb could answer that much better than I. We do lack much basic research even in that sort of thing, as what sort of work a certain type of mental patient could go into after he leaves. As yet we haven't done the basic work that should be done. I am sure that they would like to be able to do a lot more than they are doing.

Connolly: At the moment, the outpatient clinic is the best method there is.

Thompson: There is quite a follow-up there at the present time, isn't there?

Kolb: We follow them up when they leave from Mendocino, but we are not able to follow them up from the other hospitals.

Dr. Phantill of the Los Angeles City Health Department next testified as follows: "I would like to say that I am in complete agreement with everything that has been said, except that I have some additions to make. For one thing, most of the clinics are in the terminal stages. We used to consider a combination of symptoms. They came together so often that we began to feel they belonged together. We often saw combinations of T. B. because of lack of nutrition in an alcoholic, a disease that gets worse. You start out with alcohol and end up with a lot more. I definitely would like to propose that legislation be put in action to make alcoholism a disease like other dangerous ailments. It would be advantageous not only for the individual, but also for public health.

"The other suggestion I would like to make along that particular line is in regard to preventive psychiatry. It would be very easy to help these people in the beginning. When a person is told he is dangerous to others, it is this shock that is sometimes the beginning phase of alcoholism. A great deal of preventive work can be and should be done."

Connolly: You are stronger for clinical work than in the educational program?

Phantill: It is more than education. During the pre-natal cases we sometimes have people who are on the breakup of their marriage, and they often turn to alcohol. Before the child is born we can do a lot for these people as well as for the unborn baby. At that time you have to spend so much less than you have to spend to treat a chronic alcoholic.

ALAMEDA COUNTY FARM SEEKS TO AID ALCOHOLICS[1]

In Santa Clara County (and in the majority of the other counties throughout the Nation) the forgotten man is the fellow who gets sent to jail time after time because he is an alcoholic.

The average citizens feels the impact of these sentences once a year when he gets his tax bill, but the alcoholic's name is not listed on our tax bills, few people realize his great cost to the county and little is done about him.

In fact so little has been done about him that physicians and social workers have no real knowledge of what can be done for him. The subject is almost completely unexplored and there is no yardstick of case histories which runs deep enough to be dependable.

However, it is a hopeful note that many governmental bodies are recognizing that a problem does exist, and a few have started practical experiments with the alcoholics. Outstanding among these experimenters is Alameda County.

At the Santa Rita Industrial Farm near Pleasanton, a separate staff of doctors, psychiatrists, nurses and social workers has been added to the regular organization.

[1] Editorial from the San Jose Mercury-News, Sunday, November 12, 1950.

Santa Rita's average number of "guests" is in excess of 700. Screening indicates that at least 65 percent of these are there for reasons which are related in some way to alcohol.

None but the most confirmed optimists believe that all or even a great part of this 65 percent can be cured of alcoholism by any treatment presently known. As a matter of fact the figures compiled after the clinic staff interviewed 513 persons recently are not too cheerful.

These figures show that 487 of those studied were alcoholics.

Of the 487 there were 156 who flatly denied being alcoholics.

And of the 487 there were 204 who took advantage of the rule which makes treatment voluntary, and refused to take any treatment.

In spite of these depressing figures it is indicated that considerably more than half of the victims want help, and as experience in treatment is broadened they will be able to get better help.

The experiment at Santa Rita follows a common sense line.

The authorities have recognized the fact that nothing can be done for the average alcoholic within 30 days. Those who are sent to the institution for crimes and misdemeanors which are related to alcohol, are sentenced for six months and placed on an additional two years' probation.

In addition to those who are sentenced to Santa Rita for violations of the law the clinic also accepts all civil alcoholic commitments from Alameda County and all voluntary self-commitments.

Once at Santa Rita, all persons from these various groups are treated exactly the same.

Most of them are suffering from semistarvation. They are given expert medical attention and in most cases put on a primary vitamin diet.

After a patient's physical condition has been built up he moves into the occupational therapy stage. He is put to work in the fields or shops of the partially self-supporting establishment. When his general outlook has reached a satisfactory state he is brought into contact with Alcoholics Anonymous, which holds weekly meetings at Santa Rita, and has a branch organization there.

And last but not least the patient is introduced to antabuse.

Antabuse is a drug which has been described by ex-alcoholics as "willpower with a label on the bottle."

Antabuse is not to be confused with the "aversion" or "conditioned reflex" therapy which has been widely used for many years. It is simply a sensitizing agent which makes the patient severely allergic to alcohol in any form.

In fact if a person takes even a swallow of beer within eight days of the time he has had the antabuse treatment he will be so sick he will probably wish he could die.

Antabuse is compounded of some of the elements which go into the manufacture of synthetic rubber. It is tasteless, odorless and has no effect on the system, until you take a drink. Then it brings about a partial oxygen starvation. Extreme, though not fatal, illness results.

A person cannot drink if he has taken "antabuse."

At Santa Rita patients are put on the drug therapy only at their own request. When they leave the institution they continue to use this therapy only on their own initiative. Antabuse has not yet been released for general public sale, due to the regulations of the Federal Food and Drug

Administration, but Alameda County patients can obtain a regular supply by calling at the office of the physician in charge of this phase of treatment. (And they always know that they have eight days to get around for another batch of pills when they run out.)

As part of the program at Santa Rita a patient who has been confined because of most troubles rooted in alcoholism can be released from custody as soon as the officials are convinced that he will progress better without confinement.

The Alameda County experiment has only been in operation for a few months. It is too early to tell what the final results will be. But no matter what they are, it is a step in the right direction. It is bound to be better than the indifference of the past.

Following is the report on alcoholism in California as prepared by the State Department of Mental Hygiene:

Alcoholism in California

Outline of report

1. Consideration of population at risk (Table 1)
   - Potential drinkers
   - Users of alcoholic beverages
   - Intemperate drinkers
   - Chronic alcoholics.
2. Apparent consumption of alcoholic beverages (Tables 2, 3)
   - Absolute alcohol
   - Distilled spirits
   - Wines
   - Beer.
3. Motor vehicle accidents involving intemperate drinkers (Tables 4, 5, 6)
   - Death
   - Injury.
4. Alcoholics in state mental institutions (Tables 7, 8, 9)
   - New admission
   - Discharges
   - Death
   - Duration of residence
   - Characteristic of this population.
5. Disability from alcohol
   - Disability insurance program.
6. Mortality from causes directly related to alcoholism (Table 10)
   - Alcoholism
   - Alcoholic cirrhosis of the liver.
7. Summary
   - Magnitude of the problem.

ALCOHOLISM IN CALIFORNIA

Population at Risk

Estimates: In order to determine the extent to which the intemperate use of alcoholic beverages affect the health and well-being of the population of California, it is necessary to estimate the minimum population at risk.

This has been done in the following manner:

(1) The population figures for the estimated number of potential drinkers in 1945, 1946 and 1947 were obtained by applying 69.6 percent to the total estimated population. This percent represents the proportion of the population of ages 21 years and over in California in 1946. (Table 1)[1]

(2) The estimated number of "users of alcohol" is based on information from a publication by Doctor E. M. Jellinek[2] in which it was stated that use was made of information obtained in a Gallup survey (public opinion news service release September 1, 1946). The results of this poll were that two out of every three voters surveyed were against return to prohibition and that two out of every three, of the nations adults. drink. The second of two questions asked in the survey was "Do you ever have occasion to use alcoholic beverages, such as liquor, wine or beer or are you a total abstainer?" Responses to this question showed that 33 percent were total abstainers and 67 percent drank alcoholic beverages. Based on these data, the factor of two-thirds was applied to the estimated population aged 21 years and over, the resultant figure for the years 1945, 1946, 1947 being used as estimates of the number of "users of alcoholic beverages" in California.

(3) The estimated numbers of intemperate drinkers and chronic alcoholics are based on ratios established by Jolliffee and Jellinek[3]. These ratios indicate that probably 6 percent (6%) of the "users of alcoholic beverages" are intemperate drinkers (includes chronic alcoholics) and one and a half percent (1.5%) of the "users of alcoholic beverages" are chronic alcoholics.

TABLE 1

ESTIMATES OF THE NUMBERS OF POTENTIAL DRINKERS AND USERS OF ALCOHOLIC BEVERAGES, INTEMPERATE DRINKERS AND CHRONIC ALCOHOLICS

California, 1945, 1946, 1947

Year	*Total population*	*Number of potential drinkers-population aged 21 and over*	*Number of users of alcohol*	*Number of intemperate drinkers*	*Number of chronic alcoholics*
1945	8,822,688	6,140,000	4,093,000	246,000	61,000
1946	9,529,282	6,636,000	4,424,000	265,000	66,000
1947	9,876,000	7,086,000	4,724,000	283,000	71,000

Definitions: (1) Potential Drinkers: Jellinek[4] states that "alcoholic beverages are consumed within only a certain age range of the population, namely the ages of 15 years and over. This range may be designated as the "population of drinking age". The consumption of alcoholic beverages by the population below 15 years of age is so negligible that for practical purposes it may be disregarded entirely. Chronic alcoholism, alcoholic mental disorders and death from alcoholism do not occur in the entire range of the population of drinking age but are limited with fractional exceptions to the population aged 20 years and older, which will be designated here as the "adult population".

[1] Chronic Disease Investigation, "California's Population and Chronic Disease," 1948, Section 4b, Tables 1 and 5

[2] Jellinek, E M, "Recent Trends in Alcoholism and in Alcohol Consumption," Quart J Stud on Alcohol, 8, 11, June 1947

[3] Haggard, H W, and Jellinek, E M, "Alcohol Explored," Garden City, N. Y., Doubleday, Doran, 1947, 27.

[4] Jellinek, E M, op. cit p. 2

The expression "minimum population at risk" was used in the first paragraph of the section on population at risk. These estimates may be considered minimum inasmuch as they do not include populations between the ages 15 to 20 years.

(2) Users of Alcohol: The moderate user is defined as one who "does not seek intoxication and does not expose himself to it. He uses alcoholic beverages as a condiment and for their milder sedative effects. Alcohol constitutes neither a necessity nor a considerable item in his budget." [1]

(3) Intemperative Drinker: Bowman and Jellinek [2] have described an alcohol addict as a person with "an uncontrollable craving for alcohol. The outstanding criterion is the inability to break with the habit. Alcohol serves the purpose of creating an artificial social adjustment."

(4) Chronic Alcoholic: "This designation is properly reserved for those drinkers only who, from the prolonged and excessive use of alcoholic beverages—usually over many years—finally develop definite physical or psychological changes." [2]

TABLE 2

APPARENT CONSUMPTION OF ABSOLUTE ALCOHOL IN NUMBER OF WINE GALLONS PER PERSON AGED 15 YEARS AND OVER, THE NUMBER OF RESIDENT DEATHS, OF WHICH THE PRIMARY CAUSE WAS ALCOHOLISM AND THE DEATH RATE PER 100,000 POPULATION—SELECTED STATES, 1945

State	*Rank apparent alcohol consumption* [a]	*Apparent absolute alcohol consumption wine gallons per person aged 15 years and over*	*Number of resident deaths from alcoholism as primary cause* [b]	*Resident death rate per 100,000 alcoholism* [c]
Nevada	1	3 64	21	13.1
California	2	2.74	207	2.3
New Jersey	3	2.62	89	2.1
Massachusetts	12	2 25	137	3 3
Montana	13	2.19	13	2.8
New Hampshire	14	2 18	16	3.5
Washington	24	1 80	98	4.7
Louisiana	25	1 77	21	0 9
West Virginia	26	1.72	33	1.9
New Mexico	36	1 37	12	2.2
South Dakota	37	1 37	4	0.7
Iowa	38	.19	18	0.8

[a] Ranks refer to position of states among 48 arrayed from maximum to minimum apparent per capita consumption of absolute alcohol (spirits, wine and beer)

[b] Resident deaths exclusive of deaths among residents in armed forces and overseas

[c] Rates include population of armed forces in area

Source: Jellinek, E M, op cit, Table 10, 15 U S Nat Office of V. S, V. S S R, 27, No 29, 1947.

After listing states in the order of magnitude (maximum to minimum) of the number of wine gallons of absolute alcohol consumed per person aged 15 years and over, three states were selected at each quartile position.

The resident death rates from alcoholism per 100,000 population were then listed for the respective states. No relationship is shown to exist between the apparent consumption figures and the death rates from alcoholism. Furthermore, the death rates themselves are open to question since other causes of death are frequently given precedence over alcoholism when the primary cause is selected. In a sample run of certificates

[1] Haggard, H W., and Jellinek, E. M, op cit, p. 12

[2] *Ibid*, p. 15.

coded for all causes of death in California (February, 1947) it was found that of 56 certificates of death on which alcoholism appeared, this cause was considered primary in only 15 cases (approximately 27 percent) while other causes were given precedence over alcoholism in 41 cases a loss of 73 percent, of alcoholism appearing on death certificates. No generalizations of the loss of alcoholism as a cause of death may be made at this time, but it is obvious that alcoholism and its relation to death should be investigated further before comparisons such as these are valid.

TABLE 3

TEN STATES SHOWING THE HIGHEST APPARENT CONSUMPTION IN WINE GALLONS PER PERSON AGED 15 YEARS AND OVER OF TOTAL ABSOLUTE ALCOHOL, DISTILLED SPIRITS, WINE, BEER

1945

State	*Apparent per capita consumption absolute alcohol*	*State*	*Apparent per capita consumption wine*
Nevada	3.64	California	2.52
California	2.74	Washington	1 97
New Jersey	2.62	Nevada	1 89
Connecticut	2.51	New Mexico	1 51
Maryland	2.48	New York	1.46
Delaware	2.46	Virginia	1.30
New York	2.45	New Jersey	1 26
Pennsylvania	2 44	Colorado	1.22
Wisconsin	2.44	Ohio	1.06
Illinois	2 36	Rhode Island	1.03

State	*Apparent per capita consumption distilled spirits*	*State*	*Apparent per capita consumption beer*
Nevada	4.81	Pennsylvania	38 25
California	3.10	Wisconsin	37 95
Delaware	2 86	Michigan	35.11
Florida	2 73	New York	34.40
Connecticut	2.64	New Jersey	33.37
Maryland	2.46	Rhode Island	33 26
New Jersey	2.39	Maryland	31 58
Missouri	2 33	Ohio	30.40
Colorado	2 32	Illinois	30 02
Minnesota	2.31	Nevada	29.07

Source: Adapted from Jellinek, E M, Recent Trends in Alcoholism and in Alcohol Consumption, Quart J Studies on Alcohol, 8, 17-15, June 1947.

Apparent consumption figures represent only taxpaid withdrawals of alcoholic beverages, from distilleries, wineries, breweries, and custom's warehouses to wholesalers or to retailers. These figures do not represent actual sales to consumers, nor number of gallons known to have been consumed.

TABLE 4

FATAL MOTOR VEHICLE ACCIDENTS IN WHICH USE OF ALCOHOL BY DRIVER CONTRIBUTED TO FATALITY CALIFORNIA, 1944, 1945, 1946

Driver's condition	*Number of drivers involved in fatal accidents*			
	Total	*1944*	*1945*	*1946*
All drivers	11,914	3,064	4,246	4,604
Drivers using alcohol, total	1,681	412	601	668
Intoxicated	592	151	222	219
Had been drinking	1,089	261	379	449
Percent of all drivers who were intoxicated or had been drinking	14 1	13 4	14 2	14.5

Source: State of California Department of Motor Vehicles, Annual Statistical Report for 1947, p. 10

TABLE 5

MOTOR VEHICLE ACCIDENTS CAUSING INJURY IN WHICH USE OF ALCOHOL BY DRIVER CONTRIBUTED TO INJURY—CALIFORNIA, 1944, 1945, 1946

Driver's condition	*Number of drivers involved in accidents with injury*			
	Total	*1944*	*1945*	*1946*
All drivers	187,034	47,384	63,023	76,627
Drivers using alcohol, total	24,725	6,488	8,481	9,756
Intoxicated	9,867	2,692	3,309	3,866
Had been drinking	14,858	3,796	5,172	5,890
Percent of all drivers who were intoxicated or had been drinking	13.2	13.7	13.5	12.7

Source State of California Department of Motor Vehicles, Annual Statistical Report for 1947, p 10.

In California, intemperate drinkers who are drivers of motor vehicles have been involved in 1,681 fatal accidents and in 24,725 accidents causing injury in the three-year period 1944-46.

They represent approximately 14 percent of all drivers involved in fatal accidents and 13 percent of all drivers involved in accidents in which injuries have occurred. (1944-46)

TABLE 6

NUMBER OF PERSONS KILLED IN ALL ACCIDENTS BY TYPE OF ACCIDENT

Type of accident		*1945*		*1946*
All accidents, total	3,705	--	3,820	--
Collision with, total	3,169	--	3,234	--
Pedestrian	--	1,461	--	1,388
Other motor vehicle	--	1,062	--	1,256
Train	--	213	--	174
Street car	--	25	--	28
Horsedrawn vehicle	--	1	--	2
Bicycle or tricycle	--	59	--	67
Animal	--	6	--	6
Fixed object	--	342		313
Noncollision, total	536	--	586	--
Overturned in roadway	--	148	--	168
Ran off roadway	--	282	--	325
Other noncollision	--	106	--	93

Source California State Department of Motor Vehicles, Annual Statistical Report for 1947, p 7

In 1945 there were 3,705 persons killed, and in 1946, 3,820 persons met death in motor vehicle accidents.

Assuming that approximately 14 percent of the drivers who were responsible for fatal accidents (4,246 in 1945 and 4,604 in 1946) were responsible for the same percentage of persons killed in these two years, it may be said that the deaths of 1,054 persons were indirectly caused by the intemperate use of alcohol

TABLE 7

PERCENT OF ALCOHOLICS WITH PSYCHOSIS AND WITHOUT PSYCHOSIS, FIRST ADMISSIONS AND READMISSIONS, JULY 1, 1944-JUNE 30, 1947; DISCHARGE AND DEATHS, JULY 1, 1944-JUNE 30, 1945

A
July 1, 1944-June 30, 1947
Alcoholics [a]

Three-year totals	*No*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	4,257	100	38.0	62 0
First admissions	3,454	100	37.9	62 1
Readmissions	803	100	38.4	61 6
Discharges	N. A.	N. A.	N. A.	N. A.
Deaths	N. A		N. A.	N. A

B
July 1, 1944-June 30, 1945
Alcoholics [a]

Three-year totals	*No.*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	1,098	100	43 2	56.8
First admissions	879	100	43 0	57 0
Readmissions	219	100	43 8	56 2
Discharges	974	100	42 3	57 7
Deaths	64	100	82.8	17 2

C
July 1, 1945-June 30, 1946
Alcoholics [a]

Three-year totals	*No*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	1,462	100	38 3	61 7
First admissions	1,202	100	38 7	61 3
Readmissions	260	100	36 5	63 5
Discharges	N A		N A	N. A.
Deaths	N A.		N A.	N. A

D
July 1, 1946-June 30, 1947
Alcoholics [a]

Three-year totals	*No.*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	1,697	100	34 4	65 6
First admissions	1,373	100	34 0	66 0
Readmissions	324	100	36 1	63 9
Discharges	N A.		N A	N. A.
Deaths	N. A		N A	N. A.

[a] Total, with and without psychosis
NA—Data not available
Source: Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945, Table 12, p 54, Table 31, p 82, Table 33, p 88, Table 17, p 60 State Department of Mental Hygiene, Statistical Research Bureau, September 2, 1948

In the three-year period July 1, 1944 to June 30, 1947, there were 3,454 first admissions of alcoholics. In the same period, there were 803 readmissions These may include overlap of cases since what was a new admission one year may have been a readmission the next. It should be noted that 62 percent of the new admissions of alcoholics were of persons without psychoses.

TABLE 8

CHARACTERISTICS OF THE POPULATION OF ALCOHOLICS IN STATE MENTAL INSTITUTIONS

Percent Age Distribution of Alcoholics, First Admissions, Readmissions and Deaths, California State Mental Hospitals
July 1, 1944-June 30, 1945
Alcoholics [a]

Age	*First admissions percent*	*Discharges percent*	*Deaths percent*
Total	879	974	64
	100.0	100.0	100.0
Under 15	--	--	--
15-24	1.7	1.3	--
25-44	58.8	52.8	32.8
45-64	36.9	42.0	51 6
65 and over	2.6	3.9	15.6

[a] Total, with and without psychosis

Source Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945, Table 12, p 54, 55, Table 31, p 82, 83, Table 33, p 88, 89

Economic Status of All Groups and Alcoholics, First Admissions to California State Mental Hospitals
July 1, 1944-June 30, 1945 [a]

Economic status	*All groups percent*	*Alcoholics percent*
Total	6,723	879
	100.0	100.0
Dependent	8.6	2.7
Marginal	76.5	84.2
Comfortable	14.2	13.0
Unknown	0.7	0.1

[a] Total, with and without psychosis

Note· Patient's economic status is determined by financial condition of immediate family, not by patient's dependence on other members Dependent—family lacking necessities or receiving outside aid, marginal—living on daily earnings but saving little, comfortable—sufficient resources to maintain family four months

Source Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945—Table 16, p 59

In 1944-45, over half of the first admissions to and discharges of alcoholics from state mental hospitals fall into the age group 25 to 44 years of age (58 percent and 53 percent respectively). When compared with the age distribution of all patients admitted for the first time and discharged from the same hospital, this percentage seems high since only 39 percent of all patients were in this age group.

If economic status as measured by the financial condition of the immediate family is considered, there are fewer dependent persons among the alcoholics (approximately 3 percent versus 9 percent) when compared with the economic status of all patients; more in the marginal group (84 percent versus 76 percent) and about the same percent in the comfortable group (13 percent versus 14 percent).

TABLE 9

DISCHARGES AND DEATHS, CALIFORNIA STATE MENTAL HOSPITALS, BY DURATION OF HOSPITAL RESIDENCE, TOTAL ALL GROUPS AND ALCOHOLICS—JULY 1, 1944-JUNE 30, 1945

Duration[a]	*All groups*				*Alcoholics*[b]			
	Discharges		*Deaths*		*Discharges*		*Deaths*	
	No.	*Percent*	*No.*	*Percent*	*No.*	*Percent*	*No.*	*Percent*
Total	5104[c]	100.0	2174[d]	100.0	974	100.0	64	100.0
Less than 7 months		56.1		43.1		68.6		43.8
7-11 months		15.4		8.0		14.3		9.4
1 year		13.4		9.1		10.8		17.2
2 years		5.2		6.2		3.7		6.2
3 years and over		9.9		33.6		2.6		23.4

[a] Comprising total duration of residence during present and prior admissions to any state mental hospital
[b] Total, with and without psychosis
[c] Excluding 659 discharges from observation commitment and 97 patients who died while on parole or escape Also excludes deaths occurring in state mental hospitals
[d] Excluding 16 deaths of patients committed for observation

Note: Alcoholic patients are committed for a definite term not to exceed two years.
Source Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945. Table 32, pp 34, 85, Table 34, pp 90, 91.

Duration of residence of alcoholics at state mental hospitals includes residence during the present as well as prior admissions to any state mental hospital. When compared with duration of residence of all groups, it is evident that a definite attempt is made to limit duration of alcoholics to two years.

Of the 64 deaths among alcoholics, 15 occurred among the group whose duration of residence was three years or more and all were designated as alcoholics with psychosis. Only 10 of the 64 deaths were attributed to "intoxication" and/or "chronic poisoning."

Disability From Alcoholism

In data presented from the California Disability Insurance Program pertaining to Section IV B "Outline of Chronic Disease Investigation," it is shown that there were 796 paid spells of illness for alcoholism, under the state plan [a] (including alcoholic psychosis), averaging 9.7 weeks per spell at a cost of $178.69 per spell and representing a total expenditure of $142,240.

Among employed men under the state plan, 7.4 percent of all paid spells of disability from selected chronic diseases in the age group 25-44 years were attributed to alcoholism, and 3.2 percent, in the age group 45 to 64 years. Of the paid spells of disability attributed to alcoholism, 51.1 percent occurred in the age group 25-44 while 45.2 percent occurred in the age group 45-64, with 3.2 percent in the age group over 65 years.

Psychoses were reported in 18 percent of the spells of disability for alcoholism. An interesting parallelism was found in the experience of a large county hospital in California where approximately the same percentage of alcoholic psychoses was reported in the Fiscal Year 1945-46. Of 1,310 new admissions for alcoholism, 246 presented conditions of alcoholic mental disorders. Parallelism such as this should be investigated further.

[a] Paid spells of disability reported terminated 1947, including spells reported terminated December, 1946.

Mortality From Causes Directly Related to Alcoholism

TABLE 10

DEATHS FROM ALCOHOLISM AND CIRRHOSIS OF THE LIVER (WITH AND WITHOUT MENTION OF ALCOHOLISM), REGISTERED AS PRIMARY CAUSES AND ESTIMATED AS TOTAL AND SECONDARY CAUSES—BY RESIDENCE AND OCCURRENCE, CALIFORNIA—THREE-YEAR PERIOD, 1945-1947

		Number of deaths by occurrence			*Number of deaths by residence*		
Cause of Death	*International list number*	*Number of deaths primary and secondary*	*Primary*	*Secondary*	*Number of deaths primary and secondary*	*Primary*	*Secondary*
Alcoholism and cirrhosis with alcohol	77 and 124[a]	3,092	2,270	822	3,046	2,238	808
Alcoholism	77	1,298	583	715[a]	1,263[a]	567	696[a]
Cirrhosis of liver with mention of alcohol	124[a]	1,794[c]	1,687	107[c]	1,783[c]	1,671	112
Cirrhosis of liver without mention of alcohol	124[b]	4,208[c]	3,331	877[c]	4,179[c]	3,313	866[c]
All cirrhosis of liver	124	6,002[b]	5,018	984[b]	5,962[b]	4,984	978[b]

[a] Estimated by applying the ratio obtained from mortality data for alcoholism as a cause of death (primary and secondary to other causes) U S Registration States, 1940 The secondary cause group represents 55 1 percent of the total deaths from alcoholism

In the sample run of death certificates (California, February, 1947) coded for multiple causes, alcoholism appeared as a cause of death in 56 instances 15 times (27 percent) as the primary cause and 41 times (73 percent) as a secondary cause Although these percentages are based on a small sample, it represents the only available data of its kind for California Until more complete analyses of multiple causes of death are made all estimates of the importance of alcoholism as a mortality and morbidity problem must be considered minimum

[b] Estimated by applying the ratio obtained from mortality data for cirrhosis of the liver as a cause of death (primary and secondary to other causes) U S Registration, 1940 The secondary cause group represented 16.4 percent of the total deaths from cirrhosis of the liver This is a conservative estimate inasmuch as the California experience in a sample run of deaths from this cause for primary and secondary to other causes (February, 1947) was secondary in 41 of 164 deaths or in 25 percent of all deaths from cirrhosis

[c] In the same sample of death certificates (California, February, 1947) it was found that cirrhosis of the liver appeared as a cause of death in 164 instances (primary and secondary) and with mention of alcohol in 49 instances (29 9 percent) Until more complete analyses of multiple causes of death are made, all estimates of the importance of alcoholism as a mortality and morbidity problem must be considered minimum

The minimum average annual death rates per 100,000 potential drinking population, aged 21 years and over for 1946 (based on experience and estimates for the three-year period 1945-47) are as follows

California, 1946

	Occurrence		*Residence*	
Deaths (Primary and secondary causes)	*Number*	*Rate per 100,000 aged 21 years and over*	*Number*	*Rate per 100,000 aged 21 years and over*
Total alcohol	1,031	15.5	1,015	15.3
Alcoholism	433	6.5	421	6 3
Cirrhosis of liver with mention of alcohol	596	9 0	594	9.0

For rates per 100,000 total population in California, 1946 (9,529,282) are as follows

California, 1946

	Occurrence Rates per 100,000 population		*Residence rates per 100,000 population*	
Deaths	*Total primary and secondary*	*Primary only*	*Total primary and secondary*	*Primary only*
Total alcohol	10.8	7 9	10 6	7.8
Alcoholism	4.5	2.0	4 4	2.0
Cirrhosis of liver with mention of alcohol	6 3	5.9	6 2	5 8

It is evident from these rates, that the usual published death rates from causes relating to alcoholism are very low minima

Source State of California, Department of Public Health, Bureau of Records and Statistics; National Office of Vital Statistics, V S S R 16, No. 19, 1940, National Office of Vital Statistics, V. S. S R, 16, No. 35, Table H, 141, 1940.

SUMMARY

Although no organized data are available at the present time on the magnitude of the problem of the intemperate drinker of alcoholic beverages in California, certain facts and estimates therefrom have been collected and presented in this report. It is believed that the estimates may be considered minimum. If all deaths directly and indirectly attributable to alcohol were to be related to the population at risk, the percentage would be sizable.

The following consolidations of figures is presented:

	Number of deaths by occurrence [a] *average 1946*	
Deaths due to alcohol	*Total*	*Primary cause only*
Total	1,585	1,310
Alcoholism	433	194
Cirrhosis of liver with mention of alcohol	598	562
Motor vehicle deaths attributable to intemperate drinking	554	554

[a] Based on experience and estimations in the foregoing tables (1945-1947).

The number of deaths by occurrence must be used instead of the deaths by residence since a considerable percentage of out-of-state drivers of motor vehicles are involved in accidents.

Rates per 100,000 total population must be calculated since persons of any age may be killed in automobile accidents.

If the number of deaths from alcoholism and cirrhosis of the liver with mention of alcohol appear as causes of death (whether primary or secondary to another cause) and the estimated number of persons killed by drivers of motor vehicles in which the use of alcohol contributed to the accident are added, the rate is 16.6 per 100,000 total population and the 1.7 percent of total deaths (95,015 by occurrence).

If the number of deaths from alcoholism and cirrhosis of the liver with mention of alcohol is limited to those for which these causes are stated as primary, the death rate becomes 13.7 per 100,000 population and the deaths represent 1.4 of the total deaths (95,015 by occurrence).

When compared with death rates from other important chronic diseases, the rate of causes of death directly and indirectly related to alcohol falls within the group represented by diabetes 20.5 per 100,000 population; cancer of the breast, 14 1; cancer of the respiratory system 13.8. These latter rates are for the year 1947.

The committee recommends that an in- and out-clinic together with sufficient funds for future research and the rehabilitation of patients be provided for, with one in Northern California, preferably in the San Francisco Bay region, and one in the southern part of the State in the vicinity of Los Angeles.

RABIES

Upon receipt by the committee of the following resolution from the Los Angeles County Club of Adult Blind, the committee conducted an investigation and recommends that legislation be introduced for the protection not only of the public but also for those people who are afflicted by the loss of their sight and depend upon their ability to walk the public streets with the aid of seeing eye dogs:

WHEREAS, A guide dog is an integral part of his blind master to the extent that when the dog is quarantined the master is also imprisoned; and

WHEREAS, The ruling of the State Board of Health requires the quarantine of all dogs, including guide dogs, upon a mere statement without proof of bite and without granting any form of hearing to the blind man who must be imprisoned with his dog, thus depriving him of his constitutional rights by conviction upon accusation; and

WHEREAS, Quarantine is for the purpose of inspection of the dog at regular intervals rather than the fear that the dog might be infected with rabies, and such regular inspections can be made at any time since the guide dog is always available; and

WHEREAS, The public safety of the community is in no way jeopardized by the guide dog being quarantined in custody of its master rather than quarantined in an inclosure, thus robbing the blind man of his means of livelihood; now, therefore, be it

Resolved by the Los Angeles County Club of Adult Blind at its regular monthly meeting in Los Angeles this the 28th day of July, 1950, That we strongly condemn these injustices and that a committee be appointed to seek redress from the State Board of Health by all legal means at their disposal, including political pressure and the support of public opinion through the press, the radio, and television.

Rabies, or hydrophobia, is an acute infections disease *Which is 100 Percent Fatal Both for Man and Beast.* It is caused by a virus which attacks the brain and spinal cord. Man and warm-blooded animals are susceptible to it. It is spread to man and healthy animals by the saliva of a rabid animal which contains the virus. The saliva enters the body through a break in the skin, usually through a dog-bite, but it may occur from the bite or scratch of a cat, or from exposing the broken skin to the saliva of any rabid animal, for example, cows, squirrels, coyotes, or foxes.

Rabies virus may be present in the saliva from eight to ten days before symptoms of the disease appear So it is well to be suspicious of any animal bite even though the animal seems to be healthy.

Rabies does not always develop after a rabid animal bite or after wound contact with the saliva of a rabid animal, but no one who has once developed rabies has ever recovered.

It takes, on an average, two to six weeks after a bite for rabies to develop but it may develop in less than 10 days or not for several months. Since the virus reaches the brain by way of the nerves, the closer the wound is to the brain, the more quickly the symptoms of rabies appear.

Following is a copy of an animal quarantine notice issued by the City of Los Angeles after a dog has bitten a human or has been exposed to rabies with a known rabid dog:

1. If there is evidence that a dog has been exposed to rabies infection, such dog shall be quarantined in a segregated kennel at the animal shelter for a perior of not less than 14 days for observation.

2. Any dog where there is no evidence of rabies exposure that bites a human shall be quarantined in the custody of its master and must remain upon the premises available for inspection for a period of not less than 14 days, unless such dog shall be a seeing eye dog, or a guide dog in service to its master.

3. A seeing eye dog or guide dog that has been exposed to rabies infection shall upon evidence of exposure, be quarantined at the animal shelter.

4. A seeing eye or guide dog that bites a human without evidence of rabies exposure shall be quarantined to the custody of its master and permitted to continue as a guide Special care shall be taken by the blind master during the period of quarantine that the dog shall not leave his custody.

5. Any person who shall be bitten by a dog, shall immediately notify the health authorities and show proof of such bite; and any person owning a dog that shall bite a human, shall immediately notify the health authorities.

6. All dogs kept at the animal shelter shall be humanely cared for and their owners shall pay a fee of 50 cents per day, or $7 for the two-week period of quarantine to cover the cost of food and care.

Failure to comply with these regulations shall constitute a misdemeanor.

At the committee's hearing in Los Angeles on October 14th, Mr. James B Garfield, President of the Los Angeles County Club of Adult Blind, testified as follows: "The reason for quarantining does not imply exposure or contact with a rabid animal. It does not indicate that they are rabid. The reason for quarantining is so that they can check up on the dog during a 14-day period and see if it does have rabies. If the dog is normal the dog does not have to take the treatment. That is the reason, as I understand it, for quarantining. The present regulations seem to be otherwise, in that a person may claim a dog bite even when there is no evidence. If I go to the hospital and say I have been bitten, they will quarantine your dog. If a dog is infected or has been exposed to hydrophobia, that dog should be quarantined at the animal shelter where it will be taken care of. If a dog bites an individual in self-defense or play, that dog should be quarantined on the premises unless that dog be a guide dog If it would be a guide dog and it has hydrophobia, I am no fit custodian for a dog infected with hydrophobia. That dog should be segregated. If the bite is a normal bite, the dog should be quarantined to its master, so he may continue to do his work. These dogs are constantly in quarantine. They are a Siamese twin."

As previously stated, legislation will be introduced not only to protect the public but the well-being of those afflicted people who can not see and depend upon the companionship of their seeing eye dogs.

APPLICATION TO PRACTICE MEDICINE

From time to time Members of the Legislature have received letters from unsuccessful applicants for a license to practice medicine, complaining against the Board of Medical Examiners. Practically all of these letters have been from individuals whose applications were based on licenses issued by other states.

The committee requested the Board of Medical Examiners to supply figures on the number of such applicants during the past 10 years and the number of certificates issued to that type of applicants during that period. The yearly figures for 1940 through 1949 are submitted herewith.

It is evident that the percentage of failures is fairly consistent. Since there has been a changing personnel in the examiners over a 10-year period, it appears that the reason for failure lies not with the type of examination or personality of the board, but rather with the inability of applicants to meet the requirements of California standards. These standards are comparable with other states of similar size.

The committee can see no basis for charges that California is keeping out applicants from other states. Witness the number of certificates issued as compared to the total number of applications filed. The State has a duty to protect its citizens against unqualified physicians and surgeons, and the committee would suggest that applicants for license properly prepare themselves for examinations.

APPLICATIONS FILED AND CERTIFICATES ISSUED BOARD OF MEDICAL EXAMINERS

Year	Applications filed	Certificates issued without examination	Certificates issued on oral examination	Total certificates issued
Applications Based on License Issued by Other States				
1940	225	130	47	177
1941	263	144	56	200
1942	278	139	84	223
1943	389	173	146	319
1944	590	263	142	405
1945	1,019	458	141	599
1946	1,495	1,082	207	1,289
1947	1,132	884	148	1,032
1948	1,170	908	109	1,017
1949	793	652	124	776
Applications Based on National Board Credentials				
1940	31	29	1	30
1941	35	39	3	32
1942	42	47	1	48
1943	68	49	6	55
1944	76	67	5	72
1945	146	89	9	98
1946	272	225	22	247
1947	244	226	20	246
1948	230	217	8	225
1949	228	205	9	214

Applications Based on Government Credentials

Year	Applications filed	Certificates issued	Total	Year	Applications filed	Certificates issued	Total
1940	6	5	5	1945	51	11	11
1941	11	6	6	1946	109	70	70
1942	13	12	12	1947	86	55	55
1943	14	8	8	1948	53	31	31
1944	22	9	9	1949	40	36	36

Written Examinations

Year	Applications filed	Certificates issued	Year	Applications filed	Certificates issued	Total
1940	407	396	1945	488		500
1941	409	402	1946	548		439
1942	457	457	1947	501		535
1943	584	433	1948	533		479
1944	402	443	1949	524		485

Oral Examinations

Year	Passed	Failed	Total	% Failed
1937	55	49	104	48%
1938	52	42	94	45%
1939	62	33	95	34%
1940	63	40	103	39%
1941	73	51	124	42%
1942	79	63	142	44%
1943	154	88	242	37%
1944	166	173	339	51%
1945	173	196	369	53%
1946	306	334	640	52%
1947	234	240	474	51%
1948	202	190	392	48%
1949	131	107	238	45%
1950	109	81	190	42%
Totals	1,859	1,687	3,546	47%

FINAL REPORT ON THE SALARIES OF THE STATE JUDICIARY BY ASSEMBLY INTERIM COMMITTEE ON EQUALIZATION OF SALARIES, QUALIFICATIONS AND JOB CLASSIFICATIONS OF PUBLIC EMPLOYEES

(HOUSE RESOLUTION NO. 255, 1949)

WILLARD M. HUYCK, *Chairman*
THOMAS W. CALDECOTT
JOHN E. MOSS, JR.
WILLIAM H. ROSENTHAL
STANLEY T. TOMLINSON

To the HONORABLE SAM L. COLLINS, *Speaker, and to the Members of the Assembly:*

Your committee has made separate studies of two aspects of the problem assigned to it. This report has to do with salaries for the State Judiciary.

In this study we have had the cooperation of court officials, the State Bar, and individuals concerned with the problem, as well as of authorities in some of the other states from which we sought comparative information. To all of these we express our deep appreciation.

The gathering of information and preparing of analyses on which the committee's findings and recommendations are based was done by Louis J. Kroeger and Associates, management consultants, of San Francisco and Los Angeles.

The staff report to the committee has included proposed drafts of legislation to give effect to the committee's recommendations. Such legislation does not appear on this report, but will be introduced in the Assembly by the members of the committee.

THE PROBLEM

Every member of the Legislature knows that the method of setting salaries for our court officials has been unsatisfactory.

1. We have set salaries through separate local measures rather than having an integrated plan for the whole judiciary.

2. The local measures on which we have acted have depended to a large extent on local politics. Action insofar as the superior courts are concerned has by custom required recommendations by the County Grand Jury and board of supervisors Rather than preserving the independence of the judiciary, this makes the local judges dependent upon political action by the legislative branch of the local government. The current practice of requiring a Grand Jury recommendation is particularly unfortunate in those counties in which we have but one judge, because that judge appoints the Grand Jury and then is in turn dependent on its recommendations for his salary.

3. All of the cost of judges' salaries above a fixed base is borne by the counties. This puts the salary at the mercy of every local pressure group interested in holding the tax rate down.

4. The authority of the Judicial Council to assign judges to other counties in effect creates a state judicial system, while the manner of setting salaries hampers its effective operation as such.

5. The Legislature has been responsible for approving these salaries, but has not had the means to do the job right, nor have we had any disposition to do more than listen to local arguments.

6. The municipal courts and the superior courts are the more numerous and the more politically active. In the metropolitan areas many judges of these courts are former members of the Legislature. As the years have passed, the salaries for these courts have been given disproportionately more attention than has been given to the higher courts.

7. The Legislature has been burdened with a mass of local legislation to set the salaries of superior court and municipal court attaches. The salaries for these employees have no more state-wide significance than would the salaries for the clerks in the administrative departments of the county and city governments. An equitable salary structure in the public service cannot be maintained when the authority to prescribe salaries for the administrative agencies is vested in local authorities while that for the clerical arm of the courts is vested in the Legislature.

8. The problem of setting judicial salaries recurs each two years, and is given piecemeal treatment each time. The treatment usually is proportionate to political strength and local interest rather than to the requirements of the judicial system.

Every student of the subject—within the judicial system and out of it—agrees that basic principles should be established and an objective system created by which these salaries can be adjusted hereafter.

SUMMARY OF PRINCIPAL RECOMMENDATIONS

The balance of this report will develop in detail the following principal recommendations:

1. That the present 13 different salary rates being paid to superior court judges be reduced to three.

2. That the basis of support for superior courts be revised so that the counties pay a uniform base rate in each of the three salary categories proposed, with the State assuming the balance.

3. That the custom of requiring recommendations from county grand juries and boards of supervisors be discontinued.

4. That the salaries for superior court judges be related to existing cost-of-living factors, and that future adjustment take into account those same factors.

5. That a fixed relationship be established between the salary established for the superior court and for the other courts; and that this same relationship be hereafter preserved whenever an adjustment is made in the basic rate for superior court judges.

6. That the manner of setting salaries for all attaches and employees of the judicial system be studied further.

7. That all measures setting salaries in the judiciary hereafter be referred to a single committee of this Assembly.

THE SUPERIOR COURT

We have selected the superior court as the keystone of our entire plan for judicial salaries because it is the most numerous, universal and basic court in the State's judicial system. We have selected it, too, because it is the victim of the most uncertainty and illogical treatment in the past, due to the influence of local political factors and the piecemeal manner in which the problem has been dealt with by the Legislature.

Following is a tabulation of the distribution of salaries now being paid to superior court judges:

$15,000 per year	in	4 counties
13,000 per year	in	1 county
12,500 per year	in	5 counties
12,000 per year	in	13 counties
11,000 per year	in	2 counties
10,500 per year	in	2 counties
10,000 per year	in	9 counties
9,250 per year	in	1 county
9,000 per year	in	5 counties
8,700 per year	in	1 county
8,500 per year	in	13 counties
8,000 per year	in	1 county
7,000 per year	in	1 county

We find two faults with this array of salaries. One is that there are differences of as little as $200 per year, with no factual basis for such fine distinctions. The other is that the spread from a low of $7,000 to a high of $15,000 is greater than the difference which in our judgment exists in the responsibilities of the judges.

Your committee has reviewed the relative population, case load and other factors which might possibly have a bearing on differences in salaries for the superior courts. We find no consistent relationship between the rates now established and any of these factors This circumstance in itself supports the finding of the committee that salaries have been set in the past without regard to logical or objective factors.

The most frequently repeated proposal made by those addressing the committee has been that all superior court judges should be paid the same salary. The arguments which favor this view are as follows:

1. The superior court is a state court, having the same jurisdiction, the same kind of cases and subject to the same law, regardless of the size of the county.

2. At the direction of the Judicial Council, any judge of the superior court may be assigned to a court in another county, or may even be assigned to the appellate bench. The extent to which these assignments are made is shown by the following figures from the report of the Judicial Council for the Fiscal Year 1947-48:

To the Supreme Court	6 assignments
To the district courts of appeal	13 assignments
To the appellate departments of superior courts	1 assignment
To superior courts	523 assignments
To municipal courts	40 assignments
To city and township courts	50 assignments

3. While it is true that a judge assigned to another court is paid the salary established by law for that court, his initial selection should have been in relation to a salary high enough to qualify him for more difficult assignments.

4. Variations in work load between the courts in different counties should not necessarily be a controlling factor, because any significant

difference in work load is offset by creating additional judgeships or by the assignment of additional judges by the Judicial Council.

5. The character of the case load does not vary enough between counties to justify significant difference in salary. To the extent that the nature of the case load does vary, there are offsetting factors which tend to minimize the net effect of these differences. The court in a metropolitan county may be departmentalized, but the judges are usually rotated between the specialized departments. The judge in the small county, on the other hand, must deal with the complete diversity of cases coming before his court; and he has less access to specialized services of administrative departments, such as those dealing with juveniles and psychopathic cases.

6. Under modern conditions of communication and transportation, the cases in a given county are not limited to the people and problems of that county. Litigants and attorneys come from all over the State.

7. The considered opinion of the Chief Justice of the Supreme Court, justices of the appellate courts and many of the judges of Superior Courts who have appeared before the Committee is that salaries should be uniform throughout the State. While we cannot regard mere consensus of opinion as an objective factor, it is an important corroborating point.

The arguments which have been advanced against a uniform salary for all of the superior courts are as follows:

1. Some of the judges contend that there is a difference in the amount and character of work load, which justifies a difference in salary. This view is expressed by judges who have served exclusively in the metropolitan counties, whereas most of the argument favoring a uniform salary comes from the judges in small or medium-sized counties, who have worked on assignment in the metropolitan areas as well. We recognize that they may be a little less objective, because there is the possibility of a salary increase for them, but we are convinced that even discounting for this factor, there is enough sincerity and objectivity to justify giving the point serious consideration.

2. It is argued that there are differences in living costs which favor a higher standard for the metropolitan county judge. This factor is not recognized by the State in setting salaries for its administrative officials, nor have independent salary surveys which have come to our attention indicated that this is enough of a factor to make a significant difference.

3. The setting of a uniform salary for the entire State would be contrary to long-established custom and might therefore encounter obstacles in the Legislature. The committee is well aware of this possibility, but it is charged with the responsibility of making objective findings in this field. It cannot be influenced by the habits of the past if the evidence shows that old habits have been wrong.

4. To increase the salaries of the judges now in office will not automatically improve the caliber of those on the bench. This is an obvious truth; but on the other hand, the standard cannot be raised except by first taking the step of improving the salary structure to attract better judges.

5. If the salaries are made uniform it must be obvious that they will have to be set at or near the level now prevailing in the large counties. This would increase cost and give undue influence to small groups of voters in the smaller counties.

6. Under the present distribution of costs between the State and the counties, a uniform salary would impose a heavy burden on the smaller counties.

After careful weighing of the arguments for and against uniform salary for all judges in the superior courts, your committee finds that the facts justify recommending three salary rates for superior court judges. We base this conclusion on the following reasoning:

1. Fundamentally, we believe that the job of a superior court judge is the same anywhere in the State. We accept, in short, all of the arguments advanced above in support of a uniform salary.

2. On the other hand, not all of the counties have enough work load to keep a judge fully occupied. Some differential is justified to recognize this fact and to provide an incentive for such judges to take assignments elsewhere.

3 In some larger counties the establishment of municipal courts has altered the jurisdiction of the superior court, and thereby has given it a higher concentration of more difficult cases.

4. The smaller counties should not be required to bear the disproportionate increased cost which uniform salaries would impose.

5. If a uniform salary were set (and it necessarily would be set near the present rate in the larger counties) a very few voters in the smaller counties would be privileged to elect a high-salaried judge.

The counties in which the creation of municipal courts has affected the character of the superior court work load are Alameda, Los Angeles, Sacramento, San Diego and San Francisco.

It is difficult to say what constitutes a full-time case load for a court. A mere count of filings and dispositions is inconclusive, because the character of the cases and the work habits of the judge and the attorneys who appear before him all have a bearing on the work load. On the other hand, if an arbitrary distinction is to be made, these statistics of case loads are the only ready standard available.

Having no other alternative, we propose that the standard of 375 dispositions per year for the last fiscal year be the measure of what constitutes a full-time case load for the superior court of a county. We arrive at this figure by deducting from the 365 days in the year the 104 Saturdays and Sundays and 11 legal holidays, leaving 250 normal working days. We have not deducted vacation time, because such periods are frequently covered by the assignment of another judge. To this we apply a factor of 1½ dispositions per day, resulting in the 375 disposition standard. This standard has the further virtue that in recent times some of the counties have fallen clearly below this point and all the others have been clearly above it. There is an advantage in having a division point standing in the clear, because it eliminates the possibility of quibbling over a few cases one way or another.

The effect of this distinction is to establish that there is less than a full work load in the Counties of Alpine, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Inyo, Lake, Lassen, Mariposa, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Tehama, Trinity and Tuolumne.

It is not within the scope of this study to suggest reorganization of the judicial system. Yet our findings clearly indicate a basic problem badly needing attention. We have 20 counties in which the work load is

so light and the population represented is so small that we cannot justify a salary equal to that paid in the other 38 counties. The real solution, in our judgment, lies not in paying a part-time salary—as we feel compelled to recommend under present circumstances—but in equalizing the work load by the creation of judicial districts embracing more than one county.

Your committee urges that the Legislature, the Judicial Council, the State Bar, and the counties concerned unite in an effort to bring about this badly needed reform.

Having concluded that the should be three ranges for superior court judges, the next question is what the rates should be. There are certain well-established factors which have generally been used in determining salaries for administrative positions. It has been increasingly evident as this study progressed, however that it would be difficult to apply these same factors to judicial posts. These factors are discussed briefly below to show that they were considered and to show why they have not been a useful guide in solving this particular problem.

1. **Training Required.** This factor can be divided into (a) amount and kind of education required and (b) amount and kind of prior experience required. Aside from the basic requirement that a superior court judge must be trained in law, there is no fixed pattern to which a salary standard can be related. The training required clearly marks a judgeship as a professional position, but the amount of training required beyond basic professional instruction is too nebulous to be used as a salary factor

2. **Variety and Difficulty of Duties.** The difference in jurisdiction between the various courts is defined by law, but the degree of difference in the difficulty and variety of judges' duties and responsibilities is subtle. We find no possibility of reducing the varied aspects of judicial work to a set of objective and measurable factors. Distinctions have to be arbitrarily made, instead. The consequences of a given case in terms of its effects on the litigant and its consequences in determining the future course of the law do not lend themselves readily to being measured by points and weighted averages.

3. **Volume of Work.** The volume of work, as measured by work load statistics, is easy to see; but we have misgivings about the significance of the data for more than limited purposes, for the following reasons:

a We are uncertain of the accuracy of the data.

b. If work load figures were to be used in setting salaries, it would be important to find items which are at the same time a true measure of work load and yet beyond influence by action of the court.

c. Work load has only a limited influence in the superior courts, because when it reaches a given point, additional judgeships are created or the situation is eased temporarily by the assignment of another judge by the Judicial Council.

d. The work load of a court is not a true measure of what is required of the judge because the Judicial Council may assign him to other places, including the appellate bench.

4. **Nature and Extent of Responsibility.** Responsibility is usually measured in terms of effect on the lives of others and on money and

property, and by other public consequences By these criteria any judicial position must be rated high. Translating the factor into objective terms which can be applied equally in the future would in our judgment be too arbitrary a step to be defensible.

5. **Hours and Conditions of Work.** There is little concrete data on hand but we understand that practice varies a great deal among the courts and it apparently varies between the courts and other kinds of employment. The nature of judging law and facts is such, however, that we give this point relatively little consideration in this study. The responsibilities of a judge cannot be measured by a mere count of the hours he spends on the bench or in chambers.

6. **Strain.** Some salary evaluation plans include a factor for physical, mental or emotional strain. It is a rather intangible factor, and in any event we hold the view that the strain a job imposes on a man is as much a measure of the man as it is of the job he holds.

7. **Special Skills and Aptitudes.** For the purposes of this study we have not been able to find that this is a factor separable from training.

8. **The Labor Market.** In many fields of employment salary levels are influenced directly by the economic law of supply and demand. Considering the responsibilities of the judiciary, we believe that the job ought to seek the man and that the salary should be at a level which will command the services of the man the job requires.

9. **Prestige.** Some authorities argue that prestige is a partial substitute for higher salaries. We have no doubt that the social, professional and political prestige of a judgeship is one of the considerations which induces an appointee to abandon a more lucrative private practice, but prestige in a community carries with it certain community responsibilities, and salaries must be high enough to support these responsibilities.

10. **Perquisites of Office.** The compensation cannot be measured by dollars of salary alone. The most important of these perquisites is the system of voluntary retirement provided for judges Under this plan a judge may retire at half pay at age 65, after 20 years of service; or at age 70, after 10 years of service. The Judges' Retirement Fund is supported by a deduction of 2½ percent from judges' salaries, and a matching contribution by the State. To illustrate the advantage of this plan: a judge appointed to the superior court in a metropolitan county at age 45, at the present salary of $15,000, could retire at age 65 on a stipend of $7,500 per year, after contributing a total of only $7,500 over 20 years—the equivalent of only one year of the retirement allowance. A private citizen, starting at age 45 to develop an annuity of $7,500 per year starting at age 65, would, in contrast have to set aside about $4,000 per year—or $80,000 over a 20-year period.

11. **Job Costs.** A salary should take into account the cost of getting and holding the job. Theoretically, in the case of the superior court judge, this includes the costs of periodic campaigns for office. Practically, the records show that the majority of the judges in the superior courts are gubernatorial appointees who generally have been re-elected for successive terms with only nominal opposition. This has become so characteristic of the judicial scene that the judge who has a

brisk contest is apt to be one whose record on the bench has not been up to standard.

12. **Bargaining Power.** In industrial relations this factor overshadows all others in the setting of pay. In the field under study here bargaining power is measured by political power. It has been our observation that the municipal and superior court judges have the greatest power in this respect, partly because they are closer to local government and partly because so many of them have previously been in the Legislature. One evidence of this greater power is that many superior court judges get salaries equal to those of justices in the appellate courts. We hope by the findings of this committee to produce legislation which will put judicial salaries beyond the need for or the influence of this type of bargaining power.

13. **Integrity.** For positions carrying wide discretionary responsibilities, the point is sometimes made that salaries must be high enough to remove the temptation of outside financial influence on decisions. While this may be an argument against unduly low salaries for the judiciary it does not indicate what the exact amount of the salaries should be. If a man will be influenced by outside financial temptation, it is difficult to set a salary high enough to remove the temptation. The best that can be done is to set a figure high enough to provide a respectable living and a fair return for the nature of the work.

14. **Salaries for Comparable Positions.** In the final analysis, what usually is done in most salary surveys is to gather data on salaries for comparable positions elsewhere and to make comparisons which will establish the rate that ought to be paid as a prevailing rate.

The procedure has certain fairly obvious drawbacks, which are emphasized in the case of judicial salaries.

a. It is not always possible to be sure that the jobs compared are alike in every detail of duty and responsibility.

b. It is not always possible to assure that all of the working conditions and indirect compensations are equal.

c. The salaries for positions found to be comparable may not have been set on any more logical basis than those under study, and in that case it is a matter of the blind leading the blind or the inadequate supporting the inadequate.

Notwithstanding these limitations, we have for comparative purposes sought data on salaries being paid by other jurisdictions. A summary of this information is included later in this report.

15. **Ability and Willingness to Pay.** In the public service an important controlling factor in setting salaries is the ability and willingness of the public to pay. In the case of the superior courts, the evidence is clear that some of the inequities which now exist are the result of the unwillingness of local governing bodies or local pressure groups to increase costs If the effects of their attitude were confined to the home county, we would not be too concerned. But a low-paid (and hence possibly poorly qualified) judge from such a community is not able to do his share in the statewide judiciary the Judicial Council administers.

16. **Cost of Living.** Ideally, salaries ought to be related to living costs in such a way that the "take-home pay" remains constant. By this

standard the judiciary has lost ground in recent years. The judges have shared this fate with many top administrative and supervisory officials, who usually take the deepest cut in times of depression, get the smallest increase in prosperity, pay the higher income tax, and assume the greater burden of supporting charities and other community activities. Judges' salaries should be high enough to meet the costs of living at the standard of living a judge must maintain. Some will argue that this will justify different salaries in different parts of the State, but our studies have shown that costs are not vastly different in different parts of the State; and the uniformity of federal and state administrative salaries, regardless of location, bears that out.

Your committee concludes that the net effect of all the foregoing discussion of factors is that the setting of salaries for judges cannot be guided by all the principles normally prevailing in salary studies, but that the soundest basis on which to establish the salaries is to combine consideration of existing practice and the cost of maintaining a decent standard of living for a superior court judge. From that basis, we believe it possible to establish fixed ratios between the courts of different jurisdiction, and to designate economic factors on which future adjustments will be based.

As a starting point in determining the cost-of-living at a reasonable standard for judges, we have adopted the findings of the Heller Foundation. In 1947 the foundation established a minimum budget for an executive's family of four, totaling $12,530 per year. In our judgment this budget constitutes a good starting point in determining a rate for superior court judges, providing that 20 percent is added to provide a differential above minimum requirements imposed by the responsibilities and by the necessities of the standard of living of a superior court judge bearing a full work load.

At the same time a salary of $15,000 per year was established for the superior court judges in the Counties of Los Angeles, San Francisco, Alameda and San Diego. Although applying to only four of the 58 counties, it applies to 104 of the 203 superior court judges.

The range of salaries for the principal trial courts of other states of comparable size indicates many variations, but the salary of $15,000 is close to prevailing practice. Those reported by other states include:

Illinois	$10,000 to $17,000
Maryland	$13,000 to $15,000
Massachusetts	$14,500
Michigan	$9,000 to $18,500
New Jersey	$7,500 to $20,000
New York	$23,000 to $28,000
Ohio	$4,347 to $12,000
Pennsylvania	$11,000 to $18,000

As one further corroborating point supporting this rate, the report to the Legislature by the State Bar of California in April, 1947, recommended the salary of $15,000 for the four metropolitan counties. The bar at that time recommended a differential in other counties, but through questioning by the committee, it has been developed that that recommendation does not mean that the bar is necessarily convinced that a differential is justified, but rather signifies the bar's acceptance at that time of an existing practice.

We recommend that the salary for superior court judges in the 35 counties having municipal courts be established uniformly at $15,000

per year, in relation to the economic factors prevailing in 1947, subject to further changes proposed below. This salary then becomes the base figure in relation to which all subsequent proposals will be developed.

The foregoing proposal having combined a desirable cost-of-living budget with a salary already set for many of the judges, we propose that hereafter adjustment be made in consistent relation to a cost-of-living index. The United States Bureau of Labor Statistics establishes a monthly Consumers' Price Index for food and a quarterly Consumers' Price Index for all items. There is a separate index for San Francisco and for Los Angeles. In recent years the index for the two cities has been close, but never identical. Rather than selecting one or the other as the guide for future adjustment in judges' salaries, we propose that an average of the two be used. In September, 1947, when the Heller Foundation budget previously mentioned was established, the Consumers' Price Index for all items in San Francisco was 165.7; for Los Angeles it was 161.6. The average was 163.65.

Your committee recommends that to keep the basic salary consistent with economic developments, there be an adjustment, *up or down,* of $500 per year at each Session of the Legislature at which it is determined that the Consumers' Price Index has advanced or declined five points (or 4 points and a major fraction) since the salary was last fixed.

As of October 15, 1950, the index was 176 for San Francisco and 171.3 for Los Angeles, or an average of 173.65. Therefore an adjustment in the $15,000 base is already in order, to $16,000.

In considering these and all other salaries mentioned, the Legislature should keep in mind the additional compensation for judges through their retirement system, discussed earlier in this report.

We recommend that for the 33 counties having a full-time superior court, but no municipal courts, the base salary be $13,500 per year. These counties are Butte, Contra Costa, Fresno, Humboldt, Imperial, Kern, Kings, Madera, Marin, Mendocino, Merced, Monterey, Napa, Placer, Riverside, San Bernardino, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tulare, Ventura, Yolo, and Yuba.

This figure is selected on the following basis:

1. It is 90 percent of the salary established for the large counties having municipal courts; and we propose that this relationship remain constant hereafter.

2. It provides a differential above the salaries we propose for municipal court judges.

In view of the change in the index this figure should be adjusted to $14,400.

For the courts in the 20 smaller counties (those having a case load of less than 375 dispositions per year, and consisting of the Counties of Alpine, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Inyo, Lake, Lassen, Mariposa, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Tehama, Trinity and Tuolumne) *we recommend a basic salary of $10,000 per year.* This figure is selected on the following basis:

1. It is 66.67 percent of the salary established for the larger counties; and we propose that this relationship remain constant hereafter.

2. It is the highest salary now being paid by any of the smaller counties.

3. The differential between this and the higher salary is significant enough to provide real incentive for the judges in the small counties to accept assignments to the larger counties, with their more congested courts.

In view of the adjustment in the index, the rate at this time should be adjusted to $10,667.

We reiterate that this lower salary is in effect a salary for part-time work, at the same *rate* as that applying to the other counties not having municipal courts. It is proposed only because of the illogical arrangement which leaves these counties with less than a full work load.

Distribution of Cost

The State now pays $5,750 per year towards the salary of each superior court judge. To reiterate an earlier point, the payment of the difference by the counties contributes to the illogical pattern of prevailing rates.

All of those who have addressed the committee in behalf of uniform salary for the superior court judges have argued that this cannot be accomplished unless the State assumes the entire burden of financing judicial salaries. Your committee believes that a workable alternative is to give the counties a uniform part of the burden, which should not exceed by very much that now being paid by the smallest of the counties. We think that the Legislature should not establish high salaries without regard to local wishes, if at the same time it imposes the financial burden of that decision upon the counties. On the other hand, we think the counties should continue to pay a share of the salary for an officer who is locally elected. Moreover, payment of a share by the county will tend to cause careful local consideration of efforts to create more judgeships.

For reasons already developed, we believe that the salaries should be made more nearly uniform, and the result will be to raise them in most counties. Under the circumstances we see no alternative but for the State to assume a greater share of the burden of this cost. In the general trend toward the assumption of local costs by the State, we can think of no more worthy purpose to which to devote state funds than to provide adequate salaries for a better judiciary.

We recommend that in the 38 larger counties, the county be required to assume $5,000 of the annual salary of each judge; and that the share of the 20 smaller counties be $3,000.

The State's contribution to the salaries of 203 superior court judges at this time is $1,167,250 per year. The county share amounts to $1,475,-700. Under the revised proposal the cost to the State would be $2,047,940 per year and to the counties $970,000 per year. The over-all effect is an increase of $374,990 per year in the total cost with an increase of $880,690 in the cost to the State and a decrease of $505,700 in the cost to the counties.

THE MUNICIPAL COURTS

All of the arguments that support uniformity of salaries for the superior courts apply equally to the municipal courts. Here we do not have the problem of the smaller unit, because under the Municipal Courts

Act and under the approved reorganization of the inferior courts, there is a minimum requirement of a population of 40,000 to be served by a municipal court.

There has been some argument to the effect that the salary for municipal courts and the superior courts should be very nearly equal, on the grounds that the judges are dealing with essentially the same type of cases, differing only in the money value of civil cases and in the degree of crime in criminal cases. It has been argued with some logic that to the parties involved a small case is just as essential as a large case.

Viewed from the standpoint of society as a whole, however, felonies are more serious crimes than misdemeanors, and the civil cases involving large sums of money and broad issues are *more* generally of *greater* public significance. The very fact that we have a system of courts which includes both superior and municipal courts requires a salary structure which recognizes a differential.

We recommend that the salaries for all municipal court judges be established uniformly at 83.33 percent of the rate for the superior court in the larger counties In relation to the base rate of $15,000, this will produce an annual salary of $12,500 for the municipal courts. It should be $13,333 on the basis of the current index.

This provides a higher salary for municipal court judges than that for the superior court judges in the smaller counties. There is no likelihood that this will cause direct conflict, because the total population of each of the counties proposed for the lower salary would not justify the creation of a municipal court in any of them. Should one of these counties grow to the point where a municipal court is justified, it will at the same time have an added superior court work load sufficient to justify the higher salary.

It will be pointed out that this reduces the salaries in the municipal courts in San Francisco and Los Angeles. Your committee believes, however, that the salary proposed represents a fair relationship between the municipal and superior courts; and it is more nearly consistent with the relationship previously recommended by the State Bar. The fact that a higher salary was adopted by the Legislature in this instance, contrary to recommendations before it, and contrary to what appears to us to be the logic of the situation, should not justify retaining the higher salary.

THE DISTRICT COURTS OF APPEAL

Having established a basic salary for the superior courts of the larger counties, your committee believes that the soundest basis for establishing salaries for the district courts of appeal is to have a uniform percentage of difference between the superior and appellate courts. Having established a 16.67 percent differential successively between the superior courts in the smaller counties, the municipal courts, and the superior courts in the larger counties, we propose that this 16 67 percent differential be projected upward to provide a base salary of $17,500 per year for the associate justices of the district courts of appeal. It becomes $18,667 when adjusted to the current index. In addition, we recommend an added increment of $500 per year for each presiding justice.

SUPREME COURT

To carry the plan to its ultimate conclusion the salary for the associate justices in the State Supreme Court should be established at 33.33 percent above the rate for the superior court judges in the larger counties. This is a base of $20,000 per year; and adjusts to $21,333. In addition, we recommend a constant additional increment of $1,500 per year for the chief justice.

ATTACHES

The committee has considered proposing the local fixing of salaries for court attaches, except those few whose work is judicial in character. However, there are so many factors involved that we recommend that this subject be referred to an appropriate committee for further study.

LEGISLATIVE PROCEDURE

Assuming that the foregoing program may gain legislative approval at this time, the problem still will not be solved for all time, because there is no feasible way to make the plan self-executing. Your committee cannot consider its work completed without suggesting three important points for future consideration:

First, the legislation which will be introduced in support of this program will not include the cost-of-living formula on which our current proposals are based. We urge, however, that in the future the Legislature use this formula as a guide, and that other factors not be permitted to influence rates except on showing of very good reason.

Second, the present custom of relying on the recommendations of grand juries and boards of supervisors should be abandoned. These are salaries for state officers, set by the State Legislature, and to be paid mostly out of state funds. They should be removed from local influence.

Third, if uniformity of treatment is to be accorded to salary measures affecting the judiciary, all such measures should be sent to a single committee of each house. The practice of referring bills on this subject to any one of three Assembly committees contributes to inconsistency of treatment.

PROPOSALS TO JUDICIAL COUNCIL

We recommend that basic legislation define the various classes of superior court for salary purposes, and that the Judicial Council be authorized to change a count from one class to another when it meets new conditions prescribed by law.

We suggest to the Judicial Council that it advise the Legislature whenever a change in any of these criteria seems desirable.

Furthermore, we urge upon the Judicial Council that it take firm action to improve the accuracy of reports on superior court work load.

CONCLUSION

There may be disagreement expressed after the filing of this report, particularly as to the salary levels proposed. We believe they are adequate in light of present conditions; and that they provide adequately for meeting future conditions. Above all, we believe that the basic relationships established should be left undisturbed. If rates are changed, we urge that these accepted relationships still be recognized.

STATE OF CALIFORNIA

PRESENT AND RECOMMENDED SALARIES OF STATE ADMINISTRATIVE OFFICIALS

REPORT BY
STATE ASSEMBLY INTERIM COMMITTEE ON EQUALIZATION OF SALARIES, QUALIFICATIONS AND JOB CLASSIFICATIONS OF PUBLIC EMPLOYEES

January, 1951

CALIFORNIA LEGISLATURE

WILLARD M. HUYCK, *Chairman*

January 23, 1951

The Honorable Sam L. Collins, Speaker,
and the
Members of the Assembly, State of California
State Capitol, Sacramento 14, California

DEAR MR. SPEAKER: In pursuance with the provisions of House Resolution No. 255 of the Assembly, 1949 Regular Session, your interim committee has made a thorough and impartial analysis of the various facts bearing upon the equalization of salaries of specified administrative and executive officials in the Government of the State of California.

Your committee has had the advisory and technical assistance of the survey staff of J. L. Jacobs & Company, Consultants in Public Administration and Finance of Chicago and Los Angeles. The survey staff has assisted the committee in making necessary analyses and evaluations of the duties, responsibilities and salaries of state administrative officials in California and in eight other state governments and in the preparation of the draft of the following report and recommendations.

The committee has given careful consideration to the findings and recommendations in the following report and earnestly commends these recommendations to your close consideration and action at this legislative session. The committee urges early enactment of necessary legislation to establish equalization of present salaries and to provide continuing determination and maintenance of equitable salaries for the administrative and executive positions in the State Government.

Favorable action by the Assembly on the recommendations will accomplish the purposes of the Assembly in creating our committee and in providing an objective basis for the valuation and equalization of the salaries of state administrative positions on the basis of duties and responsibilities and qualification requirements.

The committee desires also to acknowledge the cooperation by the various state administrative officials and departments and the assistance in furnishing specific information on the statutory powers and duties and salaries of the state administrative officials by the Director of Finance, the Legislative Counsel, and the State Personnel Board.

The committee also takes this opportunity to express its appreciation and that of the survey staff for the interest and assistance by the state

executive and personnel officers who furnished specific information on the salaries of comparable positions in the states of Illinois, Michigan, New Jersey, New York, Ohio, Oregon, Pennsylvania and Washington.

Your committee will gladly furnish any supplementary information that may be required for the consideration and use by the Assembly.

Respectfully submitted,

WILLARD M. HUYCK, *Chairman*
THOMAS W. CALDECOTT, *Vice Chairman*
JOHN E. MOSS, JR.
WILLIAM H. ROSENTHAL
STANLEY T. TOMLINSON

PART ONE

SCOPE OF SURVEY AND REPORT

In pursuance with the provisions of House Resolution 255, 1949 Regular Session, this survey and report deals with the relative valuation of the duties and responsibilities and with recommendations for the equalization of salaries of specified State administrative officials and members of commissions whose salaries are fixed by the State Legislature.

The main divisions of this report include the following:

(1) Scope of survey and report
(2) Summary of recommendations
(3) Recommendations for application and maintenance of the salary equalization plan
  A. Application of recommended equalized salaries
  B. Recommendations for maintenance of the salary equalization plan
  C. Recommended changes for inclusion of specific positions under civil service
(4) Salary changes for state administrative positions since 1941
(5) Salary equalization for state administrative positions
  A. Main objectives and benefits of salary equalization program
  B. Initial steps in analysis of individual positions
  C. Objective determination of relative value of positions
  D. Comparison with values of comparable positions in other states
  E. Determination of equalized salaries
  F. Salaries of comparable positions in other states
  G. Salary levels for Administrative Positions in California and six larger states
(6) Determination of recommended equalized salaries
(7) Outline procedure for periodic salary survey

ELECTIVE AND APPOINTIVE POSITIONS NOT INCLUDED IN SURVEY

The review of the list of elective and appointive officers of the State whose compensation is fixed by statute, has indicated the necessity of eliminating certain of the list of positions for the reasons indicated in the following paragraphs. The evaluation of such positions and recommended salaries are accordingly not included in this report.

(a) **Director of Social Welfare.** At the time this position was considered, changes in the organization and administration of the Department of Social Welfare were to be made effective March 1, 1950. The information on the specific duties and responsibilities of the changed position should be obtained as the reorganization is completed. Such information should then be used as the basis in determining the relative value and in recommending the equalized salary for such office in accordance with the plan recommended herein.

(b) **Director of Planning and Research.** This position was abolished during 1949 and has therefore been excluded from the list of administrative and elective officials.

(c) **Deputy Director of Department of Justice.** This position was vacant at the time of the survey and information as to the duties and responsibilities of the position was not available. The information on the duties and responsibilities of this office should be prepared upon the filling of this position and such information should then be used as the basis in determining the relative value and in recommending the equalized salary for such office in accordance with the plan recommended herein.

(d) **Franchise Tax Commissioner.** The office of Franchise Tax Commissioner was abolished by action of the State Legislature effective January 1, 1950. No recommendation is therefore made with respect to this office.

(e) **Legislative Counsel.** The Legislative Counsel has the primary duty and responsibility of giving legal consultant and advisory assistance to the Legislature This position has therefore not been included as one of the administrative and executive positions for which equalization of salaries is recommended herein. Upon request by the State Legislature, the joint salary review committee recommended herein should make the necessary evaluation of this position as a guide for fixing the salary by the Legislature

(f) **Adjutant General and Assistant Adjutant General.** According to the policy of the State Legislature and similar policy in other states, the pay and allowances to the Adjutant General and the Assistant Adjutant General are fixed to correspond to the pay and allowances for Major General and Brigadier General respectively in the United States Army. This policy and plan has worked out satisfactorily in this State and other states and such policy should be continued for these two offices.

(g) **Officers and enlisted men of the National Guard, Naval Militia, etc.** The information on the duties and responsibilities of these positions indicates that they are closely related to the military service and the salaries should be fixed in accordance therewith. No recommendation is therefore made with respect to these positions in this survey for equalization of salaries of elected and administrative officials.

PART TWO

SUMMARY OF RECOMMENDATIONS

On the basis of impartial and objective evalution of the duties and responsibilities of specified state administrative and executive positions and salary equalization related to such position evaluations and the existing salary trends for state positions, the following are recommended as the maximum salaries for the respective positions considered by the committee and whose salaries are fixed by the State Legislature.

I. RECOMMENDED MAXIMUM SALARIES OF SPECIFIED ADMINISTRATIVE POSITIONS

Position title	*Proposed annual salary*
Superintendent of Public Instruction	$17,500
Director of Finance	17,500
Director of Public Works	17,500
Director of Mental Hygiene	17,500
Members, Public Utilities Commission	17,500
State Controller	16,000
Director of Corrections	15,000
Director of Public Health	15,000
Commissioner of the California Highway Patrol	14,000
Secretary of State	14,000
Members, State Board of Equalization	14,000
Director of Youth Authority	14,000
Superintendent of Banks	14,000
Associate Superintendent of Public Instruction (Colleges)	14,000
Director of Motor Vehicles	14,000
Chief, Division of Public Employment Offices and Benefit Payments	14,000
Members, California Unemployment Insurance Appeals Board	14,000
Director of Agriculture	14,000
State Treasurer	14,000
Insurance Commissioner	14,000
Executive Officer, Franchise Tax Board	14,000
Chief, Division of Accounts and Tax Collections	14,000
Director of Professional and Vocational Standards	13,000
Director of Industrial Relations	13,000
Associate Superintendent of Public Instruction (Instruction)	13,000
Director of Natural Resources	13,000
Port Manager (San Francisco Harbor Commission)	13,000
Deputy Superintendent of Public Instruction (Special Schools)	13,000
Associate Superintendent of Public Instruction (School Administration)	13,000
Director of Veterans Affairs	13,000
Members, Youth Authority	12,000
Members, Adult Authority	12,000
Commissioner of Corporations	12,000
Members, Industrial Accident Commission	12,000
Real Estate Commissioner	12,000
Chief Deputy Superintendent of Banks	12,000
Building and Loan Commissioner	12,000
Labor Commissioner	11,000
Chief, Division of Industrial Safety	11,000
State Fire Marshal	11,000
Deputy Superintendent of Public Instruction (Departmental Administration)	11,000
Registrar of Contractors	11,000
State Librarian	10,000
Chief, Division of Industrial Welfare	10,000
Director of Aeronautics	10,000
Secretary, California Horse Racing Board	10,000
Chief, Division of Housing	10,000
Secretary, State Athletic Commission	10,000
Deputy State Treasurer	10,000

The above recommendations on salaries for administrative positions were determined on the basis of: (1) objective evaluation of the duties

and responsibilities of each position included in the survey; (2) check of the validity of the position evaluations through comparison with the relative values of comparable state administrative positions in other large states; and (3) integration of evaluations of positions with the equitable salary rates based upon a cross section of the salaries provided for such administrative positions, for other positions in the State Government, for administrative positions in local governmental jurisdictions in the State of California, and with reference to the level of compensation for executive salaries in private industry.

II. RECOMMENDATIONS FOR OTHER OFFICIAL POSITIONS

(1) **Governor.** The present salary of the Governor should be continued at the present rate of $25,000 in line with the legislative policy of establishing the salary of this office in line with the broad responsibilities of this office. The present salary for the Governor of California is the same as the salary for Governor of New York and Governor of Pennsylvania. The salaries of governors in the other states in the country are generally lower than those fixed for the Governors of California, New York and Pennsylvania.

(2) **Lieutenant Governor.** The annual salary for the position of Lieutenant Governor should be increased to $14,000. This relationship to the Governor's salary of $25,000 compares favorably with the salary of the Lieutenant Governor of Pennsylvania as well as with recommendations made for other positions in the State Government.

(3) **Attorney General.** The annual salary of the Attorney General should be in accordance with the provisions in Constitution Article V, Section 21, which provides that the Attorney General shall receive the same salary as prescribed by law for an Associate Justice of the Supreme Court.

(4) **Governor's Secretaries.** The Legislature has established the maximum annual salary for Governor's secretaries at $10,000. In order to maintain a uniform standard of fixing these salaries in proper relationship to other positions for which the salary is fixed by the Legislature, serious consideration should be given to increasing the present maximum salary for Governor's secretaries. The current salary range for Governor's secretaries is $7,200 to $10,000, and the present practice pemitting a Govenor to fix the salaries of his secretaries in accordance with the maximum salary established by the Legislature should be continued.

(5) **Members of the State Personnel Board.** The salary of each of the members of the State Personnel Board should be fixed at $4,000 per year. This is based upon the evaluation of the extensive duties and responsibilities of these officials which are performed on a part-time basis, or approximately one-fourth of full-time employment.

(6) **Members of the State Board of Barber Examiners.** The salary of each of the members of the State Board of Barber Examiners should continue to be fixed at $5,000 per annum. This is based upon the evaluation of the duties and responsibilities of these officials which are performed on an extensive part-time basis or at least one-half of full-time employment.

(7) **Board of Pilot Commissioners.** The duties and responsibilities of the Board of Pilot Commissioners are of an on-call and part-time nature corresponding to approximately less than one-fourth of full-time employment. The salary of $2,000 per year should be fixed for each of the members of the board on the basis of such part-time employment.

(8) **Board of Harbor Commissioners (San Francisco Harbor).** The duties of the Board of Harbor Commissioners (San Francisco Harbor) are of a part-time and limited basis and an annual salary of $3,000 should be fixed by the Legislature for the members of this board in accordance with the relationship of their duties and responsibilities to other boards and commissions of State Government.

(9) **Board of Harbor Commissioners (Humboldt Bay).** The duties and responsibilities of the members of the Board of Harbor Commissioners for Humboldt Bay are of a part-time limited character and the present annual salary of $400 as fixed by the State Legislature should be continued.

III. SUMMARY OF RECOMMENDATIONS FOR APPLICATION AND ADMINISTRATION OF THE SALARY PLAN

(1) The initial adjustments to bring the present salaries into conformity with the recommended salary rates should provide: (1) that the salary of any administrative official receiving less than the proposed salary should be increased to the proposed salary where the length of service in such position is over one year, (2) that the salary of any official receiving more than the proposed salary for the position should not be reduced unless there is a change in the person filling such position, provided that the salary for any administrative official should not be changed where the recommended salary provides for either an increase or decrease in salary of $400 or less per annum.

(2) In order that the policy of objective evaluation and equitable salaries for state administrative positions be maintained, the Legislature should provide for an advisory joint salary review committee consisting of a representative of the Legislative Auditor, the Pay Division of the State Personnel Board, and the Bureau of Budgets and Accounts of the Department of Finance.

(3) The present statutes and rules should be amended to permit the application of the civil service provisions to the positions of Field Worker for the California School for the Blind, the Cashier in the Treasurer's Office, the Deputy Superintendents of Public Instruction, the Associate Superintendent of Public Instruction, and such other positions which have technical and supervisory and semiadministrative duties and responsibilities under the heads of the respective departments and institutions of the State Government.

PART THREE

RECOMMENDATIONS FOR APPLICATION AND MAINTENANCE OF THE SALARY EQUALIZATION PLAN

A. APPLICATION OF RECOMMENDED EQUALIZED SALARIES

Except where otherwise noted, the recommended salaries have been determined on the basis of the relative valuation of the duties for full-time employment in the respective positions.

In cases of individual positions where full-time employment is not required, the actual compensation for such positions should be determined on the basis of the approximate proportion that the actual service bears to the total full-time service.

In order to bring the present salaries into conformity with the recommended salary rates, the initial adjustments should be made effective in fixing the salaries of present incumbents through amendments adopted by the Legislature as follows:

(a) The salary of any state administrative official receiving less than the maximum salary prescribed for the position should be increased to the maximum where the length of service in such position is over one year in such position, except as provided in paragraph (c).

(b) The salary of any state administrative official receiving more than the maximum salary prescribed for the position should not be reduced unless there is a change in the person filling such position, provided that no further increase in the compensation should be provided for the present incumbent during the period that the present salary is in excess of the maximum salary prescribed for such position, except as provided in paragraph (c) below.

(c) The salary for any state administrative position should not be changed where the recommended salary provides for either an increase or decrease in salary of $400 or less per annum.

(d) In view of the determination of the relative value of the duties and responsibilities of the individual positions to each other, the salary recommendations in this report should be presented to the Legislature in one bill which would also amend the provisions of all other codes and statutes pertaining to the salaries of the positions studied in this survey.

B. RECOMMENDATION FOR MAINTENANCE OF THE SALARY EQUALIZATION PLAN

The House Resolution No. 255 (1949 Regular Session) creating this committee lists the following conditions on which action was desired to assure equalization of salaries and definition of qualifications in state administrative positions:

"WHEREAS, Each session of the Legislature is confronted with numerous bills affecting the salaries of persons employed in various capacities in local governmental subdivisions of the State; and

"WHEREAS, The enactment of laws affecting these matters in some local governmental subdivisions and failure to enact similar laws affecting other subdivisions widens the existing disparity between salaries, classification and qualifications among city, county and state governmental agencies; and

"WHEREAS, These conditions hamper the efforts of the state and local governmental subdivisions to stabilize and equalize governmental wage scales, job classifications and qualifications of public employees and to insure the payment to all of the prevailing wage for similar work, the result in the 'pirating' of employees among such agencies; and * * *."

The evaluations of the existing state administrative positions and the recommended equalized salaries for such positions have been made on the basis of impartial analysis of the duties and responsibilities of the individual positions. Such evaluations and equalized salary reflect the character, difficulty and scope of duties and responsibilities of the position and not the individual qualifications of officials who are now filling such positions.

In order that the policy of equitable evaluation and salaries for all state administrative positions be maintained, current maintenance of the factual evaluation and salary plan is essential.

Changes in the organization, in the duties and responsibilities of existing positions and of new positions, as well as changes in economic conditions will require regular review and evaluation and action in fixing equitable salaries based upon such changes.

In order to assure effective administration and maintenance of the equalized salary plan for state administrative positions, the present statutory provisions fixing the present salaries of the above administrative positions should be repealed and salary equalization statute should be enacted providing for setting out the recommended equalized salaries and providing for the application and maintenance of equalized salaries for the existing and any new or changed administrative positions in the State Government.

Such legislation providing for the adoption of the equitable salaries for the administrative positions should also provide for periodic review and recommendation on necessary adjustment of the salaries of existing positions and of new or changed positions on the basis of changes in organization, duties and responsibilities of the respective positions.

In order to provide for such periodic review and information for the State Legislature on salaries for existing and new administrative positions and to assure integration of the salary recommendations with the policy of salary standardization for other state supervisory and technical positions in the State Government, the Legislature should provide for an advisory joint salary review committee consisting of a representative of the Legislative Auditor, the Pay Division of the State Personnel Board and the Bureau of Budgets and Accounts of the Department of Finance. Such committee should have the duty and responsibility of making periodic surveys and recommendations to the appropriate legislative committees on the salaries of state administrative positions on the basis of salaries of comparable positions in the larger states of the country and in conformity with the legislative policy of establishing standardized prevailing salaries for other offices and positions in the State Government, including proper consideration of the effect on the relative compensation of these positions when general percentage increases in compensation are granted to employees having civil service status.

It is further recommended that such necessary staff members that are employed and assigned by the above agencies in making salary surveys for other positions be assigned on the salary survey for state administrative offices. This will insure integration of the salary recommendations based upon the relative importance of the duties and responsibilities of all offices and positions in the State Government. Such

services by the members of the joint salary survey committee and the staff should be furnished without additional compensation over that provided for these officers and employees.

In order to permit objective evaluation and recommendations on equitable salaries for existing positions and for any new positions, such joint salary survey committee should obtain and maintain statements of the duties and responsibilities of existing and proposed changes in state administrative positions and of the duties and responsibilities and salaries of comparable positions in the other large state governments. The adoption of legislation and rules providing for the above and the periodic survey and recommendations filed with the Legislature not later than the fifteenth legislative day of each session will make available necessary information to the Legislature for fixing of equitable salaries for the state administrative positions, related both to salaries of comparable positions in other large states and to the salary levels for other offices and positions in the State of California.

The committee specially urges consideration and action on the above by the Legislature so that the conditions and objectives listed in House Resolution No. 255 creating this committee may be alleviated and adequate information be made available to the Legislature on all matters relating to salaries, classification and qualifications in all branches of the state employment and all other matters related thereto.

C. RECOMMENDED CHANGES FOR INCLUSION OF SPECIFIC POSITIONS UNDER CIVIL SERVICE

A number of positions listed among the state administrative positions for which salaries are fixed by the Legislature are similar to the many technical and supervisory positions which are filled after civil service test and certification by the State Personnel Board. Among these are the positions of field worker for the California School for the Blind, the cashier in the Treasurer's Office, the Deputy Superintendent of Public Instruction and the Associate Superintendent of Public Instruction.

The present statutes and rules should be amended to permit the application of the civil service provisions to the above positions, as well as to other positions which have technical and supervisory and semi-administrative duties and responsibilities under the heads of the respective departments and institutions of the State Government. This would also permit of the provision of equitable salaries for these positions on the basis of the classification and salary standardization plan now in effect for other state positions.

PART FOUR

SALARY CHANGES FOR STATE ADMINISTRATIVE POSITIONS SINCE 1941

An analysis has been made of the main changes in salaries of selected state administrative positions in the California departments between 1941 and 1949, inclusive.

The salaries for the state administrative positions in the years 1941, 1943, 1945, 1947, and 1949 are shown in the tabulation on the following page The percentage increases in the salaries for 36 of these positions for which salary data were furnished for 1941 and 1949 are summarized in the following:

Percentage increase since 1941	*Number of positions*
200% or more	1
100% to 200%	11
75% to 100%	5
50% to 75%	12
1% to 50%	4
No change	2
Decrease	1
	36

It will be noted that of the total of 36 positions, the salaries of 12 positions have been increased by over 100 percent, the salaries of 17 positions have been increased by over 50 percent, the salaries of four positions have been increased up to 50 percent, while the salaries of three positions have not been changed or were decreased since 1941.

The information on the methods and amounts of salary changes shows variations in treatment of different positions and disparities between the salaries and the relative values of the positions as determined by objective evaluation of positions.

The Assembly in creating this committee and in providing for this survey indicated its desire to alleviate such conditions which result in disparities between the relative values and salaries provided for all positions.

In order to assure the adoption and maintenance of an equitable salary plan for the state administrative positions the recommended legislation should require that the plan should be established and based on the relative value of positions and equitable salaries for comparable positions both in the larger states and for other supervisory and technical positions in the State of California.

STATE OF CALIFORNIA

CHANGES IN SALARIES OF SELECTED STATE ADMINISTRATIVE POSITIONS—1941-1949

Position title	*1941*	*1943*	*1945*	*1947*	*1949*
Superintendent of Public Instruction	$5,000	--	$10,000	$12,000	$15,000 †
Director of Finance	10,000	--	12,000	15,000	15,000
Director of Public Works	10,000	--	12,000	15,000	15,000
Director of Mental Hygiene	6,000	--	10,000	--	15,000
Members, Public Utilites Commission	8,000	--	10,000	12,000	12,000
State Controller	--	--	10,000	12,000	12,000
Legislative Counsel	6,000	$7,500	10,000	15,000	15,000
Director of Corrections	--	10,000	--	--	12,500
Director of Public Health	7,000	10,000	--	12,000	13,000

† Effective for term beginning 1950 of Superintendent elected in 1950

STATE OF CALIFORNIA

CHANGES IN SALARIES OF SELECTED STATE ADMINISTRATIVE POSITIONS—1941-1949—Continued

Position title	*1941*	*1943*	*1945*	*1947*	*1949*
Members, State Personnel Board (part-time)	$3,600	--	--	--	$3,600
Commissioner of the California Highway Patrol	--	--	--	$12,000	$12,000
Secretary of State	5,000	--	$10,000	12,000	12,000
Members, State Board of Equalization	7,200	--	10,000	12,000	12,000
Director of Youth Authority	10,000	--	--	--	12,000
Superintendent of Banks	10,000 (1909)	--	--	--	15,000
Associate Superintendent of Public Instruction (Colleges)	--	--	--	9,000	9,000
Director of Motor Vehicles	6,000	$8,000	9,000	10,000	12,000
Chief, Division of Public Employment Offices and Benefit Payments	--	7,500	10,000	--	12,000
Members, California Unemployment Insurance Appeals Board	--	7,500	10,000	--	12,000
Director of Agriculture	7,200	--	10,000	12,000	12,000
State Treasurer	5,000	--	10,000	12,000	12,000
Insurance Commissioner	10,000	--	--	12,500	12,500
Executive Officer, Franchise Tax Board	--	--	--	--	12,000
Chief, Division of Accounts and Tax Collections	--	7,500	10,000	--	12,000
Director of Professional and Vocational Standards	6,000	7,500	8,000	10,000	10,000
Adjutant General	5,000	7,500	--	8,800	13,761 ‡
Director of Industrial Relations	6,000	--	8,000	10,000	10,000
Executive Secretary to Governor	5,000	--	8,000 *	10,000 *	10,000
Associate Superintedent of Public Instruction (Instruction)	--	--	--	9,000	9,000
Director of Natural Resources	6,000	--	10,000	--	12,000
Port Manager (San Francisco Harbor Commission)	--	--	12,000	--	12,000
Deputy Superintendent of Public Instruction (Special Schools)	4,500	5,400	--	9,000	9,000
Associate Superintendent of Public Instruction (School Administration)	--	--	--	9,000	9,000
Director of Veterans Affairs	--	--	10,000 (1946)	--	10,000
Members, Youth Authority	10,000	--	--	--	10,000
Members, Adult Authority	--	10,000	--	--	10,000
Assistant Adjutant General	--	--	--	6,600	12,222 ‡
Commissioner of Corporation	7,500	--	10,000	--	10,000
Members, Industrial Accident Commission	5,000	--	7,000	10,000	10,000
Real Estate Commissioner	6,000	7,500	10,000	--	10,000
Legislative Secretary (Governor's Office)	--	--	8,000 *	10,000 *	9,600 ‡
Secretary, Press and Public Relations (Governor's Office)	--	--	8,000 *	10,000 *	9,600 ‡
Chief Deputy Superintendent of Banks	--	--	--	--	10,000
Building and Loan Commissioner	6,000 (1931)	--	10,000	--	10,000
Labor Commissioner	5,000	--	7,200	--	8,940 ‡
Chief, Division of Industrial Safety	--	--	--	7,200	8,940 ‡
State Fire Marshal	4,800	--	7,000	10,000	10,000
Deputy Superintendent of Public Instruction (Departmental Administration)	--	--	--	9,000	9,000
Registrar of Contractors	--	--	--	8,000	8,000
State Librarian	--	5,000	7,500		9,500

* Not to exceed.
‡ Actual.

STATE OF CALIFORNIA

CHANGES IN SALARIES OF SELECTED STATE ADMINISTRATIVE POSITIONS—1941-1949—Continued

Position title	*1941*	*1943*	*1945*	*1947*	*1949*
Chief, Division of Industrial Welfare	--	--	$7,200	--	$8,940 ‡
Director of Aeronautics	--	--	--	$12,000 *	12,000
Secretary, California Horse Racing Board	$6,000	--	--	8,000	10,000
Chief, Division of Housing	5,000 *	--	7,200	--	8,940 ‡
Secretary, State Athletic Commission (Travel expenses, etc.)	--	--	--	--	10,000
Private Secretary to Governor	5,000	--	8,000 *	10,000 *	8,000 ‡
Deputy State Treasurer	4,500	--	5,000	6,800	8,000 ‡
Appointment Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,500 ‡
Departmental Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,500 ‡
Research Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,500 ‡
Secretary, Travel and Complaints (Governor's Office)	--	--	8,000 *	10,000 *	7,200 ‡
Assistant Press Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,200 ‡
Board of Pilot Commissioners	--	--	--	2,400	2,400 *
Members, State Board of Barber Examiners	3,600 (1929)	--	4,200	4,800	4,800
State Board of Harbor Commissioners for San Francisco Harbor	3,000	--	1,200	--	1,200
Cashier (State Treasurer's Office)	3,300	--	4,000	5,000	6,000
Field Worker, California School for the Blind	--	$3,000	--	--	4,512

* Not to exceed
‡ Actual

PART FIVE

SALARY EQUALIZATION FOR STATE ADMINISTRATIVE POSITIONS

A. MAIN OBJECTIVES AND BENEFITS OF SALARY EQUALIZATION PROGRAM

As previously indicated, the main objectives and benefits from the establishment of equalized salaries for state administrative officials are to provide equitable salaries on the basis of relative difficulty and importance of the duties and responsibilities of the positions and to assure that salary rates fixed should be on the basis of salaries of comparable positions in the other large state governments and for other supervisory, administrative and technical positions in the State Government.

In addition, the provisions for regular review and maintenance of the equalized salary plan by the present personnel staffs under the proposed joint salary survey committee will insure objective and impartial position classification and evaluation on the basis of duties and responsibilities of both existing and new positions. They also will provide salary rates based upon the relative importance of the duties and responsibilities of different positions and upon changes in economic conditions and prevailing levels for comparable positions.

Additional benefits for other phases of personnel administration include the following:

(a) Makes available basic information to the departments and to legislative committees and the Legislature on matters relating to job classification and qualifications of different state administrative positions.

(b) Provides a yardstick for evaluating each position in relation to all other positions in the state organization.

(c) Furnishes the legislative and management officials and the employees with information as to the relative values of requirements of duties and responsibilities of each of the positions.

(d) Provides basis for equitable salary plan based on the prevailing salaries of comparable positions in other large states and in California municipal and county governmental jurisdictions, adjusted and integrated with the salary and wage levels for other officers and employees in the State of California service.

(e) Provides definite procedure for collecting periodic data on the prevailing salaries of comparable positions in other state governments and in local governmental jurisdictions of California as well as within the state organization.

(f) Provides satisfactory management and employee relations program by establishing equitable valuations and salaries for all positions in the state organization.

(g) Provides definite basis for determining budgets for salaries with the use of classification and salary rates for respective positions in the state departments.

B. INITIAL STEPS IN ANALYSIS OF INDIVIDUAL POSITIONS

The initial steps in the evaluation process consisted of the collection and analysis of the duties and responsibilities of each of the positions to determine the scope and character of duties and extent to which the factors for evaluation are present in the respective positions.

A description of the duties and responsibilities for each position was obtained from each of the state administrative officials and members of the commissions included in the survey. A copy of the questionnaire form used to obtain these descriptions is included as Appendix B to this report.

Study was made of the statements of the duties, responsibilities and other significant requirements of the positions. The descriptions furnish detailed information about the duties and responsibilities of the positions, in addition to the available information on the position duties as described in the statutes and summarized in Appendix A of this report by the Legislative Counsel.

Following the analysis of the duties and responsibilities of the individual positions, a series of meetings were held by the committee with a number of officials to review the duties and requirements of their positions. Conferences were also held by the survey staff with other state officials and with representatives of public and private agencies who furnished valuable additional information on the relative importance of the respective positions.

Study was also made of the general organization and distribution of functions in the respective departments and of the budget appropriations in order to obtain information about the extent of responsibilities of the respective positions.

C. OBJECTIVE DETERMINATION OF RELATIVE VALUATION OF POSITIONS

The main purpose of the position evaluation was to determine objectively the relative value on the basis of kind, difficulty and importance of the duties and responsibilities of each position.

Such position evaluation is an orderly process used in determining the relative worth of positions and providing equitable salary differentials based upon the values of the different positions. It is an inventory and appraisal of the duties and responsibilities of the positions and is distinct from determination of the individual qualifications and efficiency of the employees in the positions.

Uniform evaluations of all positions on the basis of the relative value of positions were then converted into relative salary rates on the basis of the relationship of the relative values to the equalized salary levels in the State Government.

The relative valuations of equalized salaries for the administrative positions were determined as a result of: (1) objective evaluation of the duties and responsibilities of each position included in the survey; (2) check of the validity of the position evaluations through comparison with relative values of comparable state administrative positions in other large states; and (3) integration of evaluations of positions with

the equitable salary rates based upon a cross-section of the salaries provided for such administrative positions, for other positions in the State Government, and for administrative positions in local governmental jurisdictions in the State of California.

As this survey deals only with top administrative positions in the State Government, use has been made of the evaluation factors found in administrative positions. In summary, such procedure includes:

(a) The analysis of duties, responsibilities and determination of the factors and requirements present in each position.

(b) The application of the uniform evaluation yardstick to evaluate positions on the basis of point ratings for specific factors and degrees present in each of the positions and the summation of point ratings for the respective factors to furnish the total evaluation and the relative values to other positions.

(c) The over-all cross comparison of requirements of each position and the relative values of the positions, with each position being considered as an entity.

(d) The comparison of the final total relative values with the relative values of comparable positions in other states.

(e) The conversion of the total numerical evaluations into money values of salaries on the basis of the equalized salary curve for administrative positions in the State Government.

The analysis and evaluation of positions as outlined above and over-all comparison were made of the relative values of the positions with each position considered as an entity. Such over-all comparison furnished additional information on the individual evaluations and provided a summary check on the accuracy of the total initial point evaluations.

On the basis of the detailed evaluations and the over-all comparison of positions, final evaluations were determined for the respective positions. The relative evaluations of positions included in the survey are shown according to point evaluation brackets on the table on the following page, together with the present and equalized salaries for the respective state administrative positions.

D. COMPARISON WITH VALUES OF COMPARABLE POSITIONS IN OTHER STATES

In order to obtain information of the present salaries in comparable positions in other large states and the validity of the administrative position evaluations in the State of California, information was obtained from executive and personnel officials in the states of Illinois, Michigan, New Jersey, New York, Ohio and Pennsylvania.

STATE OF CALIFORNIA

POINT EVALUATION BRACKETS, PRESENT SALARY AND EQUALIZED SALARY FOR SELECTED ADMINISTRATIVE POSITIONS INCLUDED IN SURVEY

Position title	*Point evaluation bracket*	*Present annual salary*	*Equalized annual salary*
Superintendent of Public Instruction	2420-2600	$15,000	$15,000
Director of Finance	2420-2600	15,000	15,000
Director of Public Works	2420-2600	15,000	15,000
Director of Mental Hygiene	2420-2600	15,000	15,000
Members, Public Utilities Commission	2420-2600	12,000	15,000
State Controller	2270-2420	12,000	14,000
Director of Corrections	2120-2270	12,500	13,000
Director of Public Health	2120-2270	13,000	13,000
Commissioner of the California Highway Patrol	1970-2120	12,000	12,000
Secretary of State	1970-2120	12,000	12,000
Members, State Board of Equalization	1970-2120	12,000	12,000
Director of Youth Authority	1970-2120	12,000	12,000
Superintendent of Banks	1970-2120	15,000	12,000
Associate Superintendent of Public Instruction (Colleges)	1970-2120	9,000	12,000
Director of Motor Vehicles	1970-2120	12,000	12,000
Chief, Division of Public Employment Offices and Benefit Payments	1970-2120	12,000	12,000
Members, California Unemployment Insurance Appeals Board	1970-2120	12,000	12,000
Director of Agriculture	1970-2120	12,000	12,000
State Treasurer	1970-2120	12,000	12,000
Insurance Commissioner	1970-2120	12,500	12,000
Executive Officer-Franchise Tax Board	1970-2120	12,000	12,000
Chief, Division of Accounts and Tax Collections	1970-2120	12,000	12,000
Director of Professional and Vocational Standards	1820-1970	10,000	11,000
Director of Industrial Relations	1820-1970	10,000	11,000
Associate Superintendent of Public Instruction (Instruction)	1820-1970	9,000	11,000
Director of Natural Resources	1820-1970	12,000	11,000
Port Manager (S. F. Harbor Commission)	1820-1970	12,000	11,000
Deputy Superintendent of Public Instruction (Special Schools)	1820-1970	9,000	11,000
Associate Superintendent of Public Instruction (School Administration)	1820-1970	9,000	11,000
Director of Veterans Affairs	1820-1970	10,000	11,000
Members, Youth Authority	1670-1820	10,000	10,000
Members, Adult Authority	1670-1820	10,000	10,000
Commissioner of Corporations	1670-1820	10,000	10,000
Members, Industrial Accident Commission	1670-1820	10,000	10,000
Real Estate Commissioner	1670-1820	10,000	10,000
Chief Deputy Superintendent of Banks	1670-1820	10,000	10,000
Building and Loan Commissioner	1670-1820	10,000	10,000
Labor Commissioner	1520-1670	8,940	9,000
Chief, Division of Industrial Safety	1520-1670	8,940	9,000
State Fire Marshal	1520-1670	10,000	9,000
Deputy Superintendent of Public Instruction (Departmental Administration)	1520-1670	9,000	9,000
Registrar of Contractors	1520-1670	8,000	9,000
State Librarian	1370-1520	9,500	8,000
Chief, Division of Industrial Welfare	1370-1520	8,490	8,000
Director of Aeronautics	1370-1520	12,000	8,000
Secretary, California Horse Racing Board	1370-1520	10,000	8,000
Chief, Division of Housing	1370-1520	8,940	8,000
Secretary, State Athletic Commission	1370-1520	10,000	8,000
Deputy State Treasurer	1370-1520	8,000	8,000

Detailed information on the duties and responsibilities of all of the positions were not available in such states and the relative values of such positions were determined on the basis of the salaries provided for such positions.

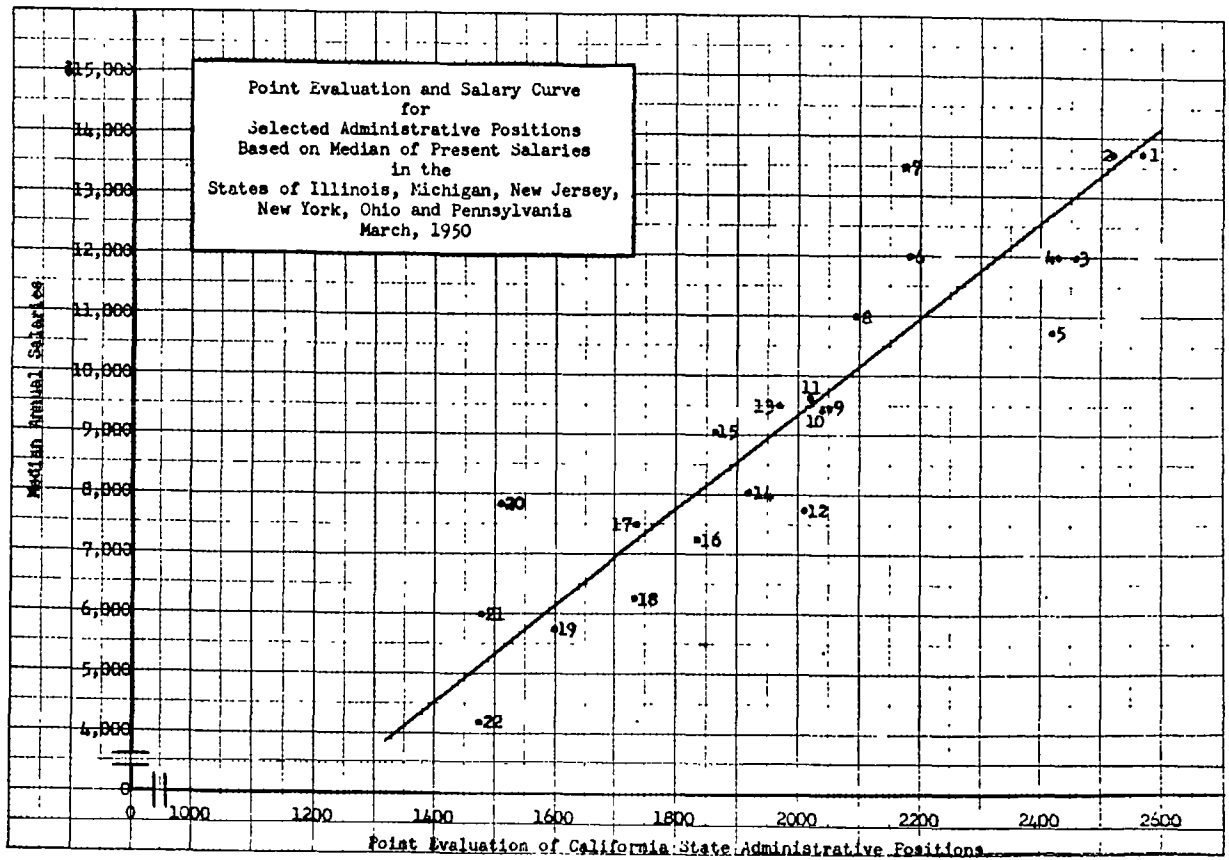
This analysis indicated wide variations in the case of a number of such positions but showed close relationships of such relative salary values of some 31 of the 45 positions in four of the six larger states which were covered.

In order to test the validity of the values of such positions in California, the point evaluations developed for the 31 selected bench mark positions and the median salary evaluations of the positions in the six other states were plotted on a graph. The resulting scatter diagram and prevailing salary curve in the other six states is shown on the chart on the following page.

The bench mark positions in the other states on which there was general consistency as to relative valuation and salaries paid in the six other states are shown in the following. References to the specific positions are indicated by the number as shown on the chart in the following list and the chart which follows:

(1) Superintendent of Public Instruction
(2) Chief Public Works Director
(3) Director of Mental Hygiene
(4) Members, Public Utility Commission
(5) Attorney General
(6) Director of Corrections
(7) Director of Public Health
(8) Highway Patrol Commissioner
(9) Director of Youth Authority
(10) Superintendent of Banks
(11) Chief of Public Employment and Benefits
(12) Members, Unemployment Appeals Board
(13) Insurance Commissioner
(14) Director of Industrial Relations
(15) Deputy Superintendent of Public Instruction
(16) Director of Veterans Affairs
(17) Members, Industrial Accident Commission
(18) Real Estate Commissioner
(19) State Fire Marshal
(20) State Librarian
(21) Secretary, Horse Racing Board
(22) Secretary, Athletic Commission

The close correlation between the point evaluations of the bench mark administrative positions in California and the medians of salaries for comparable positions in the other states is shown by the manner in which the plotted points cluster around the salary curve with the higher


Point Evaluation and Salary Curve
for
Selected Administrative Positions
Based on Median of Present Salaries
in the
States of Illinois, Michigan, New Jersey,
New York, Ohio and Pennsylvania
March, 1950
Median Annual Salaries
$15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
0
0
1000
1200
1400
1600
1800
2000
2200
2400
2600
Point Evaluation of California State Administrative Positions

average salaries in proportion to the higher point evaluations. This interrelationship of point evaluations and median salaries of positions in the other states gave further valdity to the point evaluations developed for the state administrative positions in California.

E. DETERMINATION OF EQUALIZED SALARIES

As previously indicated, the position analysis and evaluation was directed to determine the relative value of positions in terms of numerical point evaluation and not in money values. Accordingly, the next step consisted of the conversion of the point evaluations into money values on the basis of salary equivalents for objective point values.

The main objective of the work of the committee was to determine and recommend equalization of salaries for the administrative positions. In order to provide for such equalized salaries, the relative evaluations of the California positions, together with the present levels of salaries for the positions were plotted on a graph in order to establish the salary curve which represents the present salary levels for such positions in the State of California. Such graph and best fit salary curve are shown on the chart on the following page.

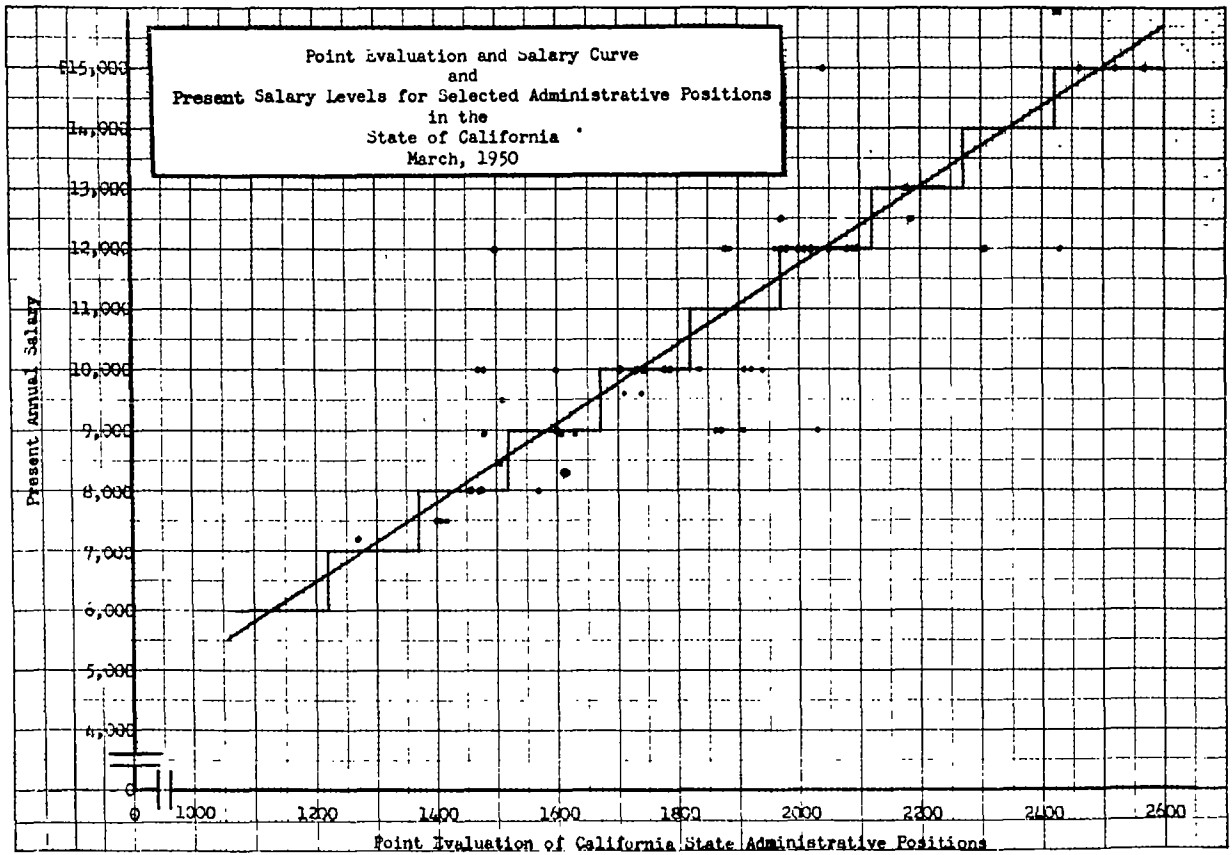
It will be noted that a large number of the bench mark positions cluster around the curve, with a reasonably equal distribution of the positions above and below the curve. This indicates that the curve is representative of the present salary level for state administrative positions.

It is recommended that the salary plan provide for a series of salary levels for the respective positions since experience in objective salary evaluation has demonstrated the value of such salary levels so that the total point ratings within each prescribed level carry the same salary schedule.

Under this plan, all positions having total point evaluations within one range or salary level should be paid the same salary rate.

Based upon the total point evaluations and salary levels of existing salaries of state administrative positions in California, the equalized salary for each position was determined by use of the evaluation points for each position and the salary level in which such position falls.

The listing of the evaluation levels, the present salaries and the equalized salaries for each of the state administrative positions are shown in the table on page 1280.


Point Evaluation and Salary Curve
and
Present Salary Levels for Selected Administrative Positions
in the
State of California
March, 1950
Present Annual Salary
15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
0
0
1000
1200
1400
1600
1800
2000
2200
2400
2600
Point Evaluation of California State Administrative Positions

F. SALARIES OF COMPARABLE POSITIONS IN OTHER STATES

In order to secure first hand information on the present salaries and practices in other states dealing with the comparable administrative positions, a questionnaire requesting information on prevailing salaries and practices was submitted to the governors of the six largest states and also to the Pacific Coast States of Oregon and Washington. The executive and personnel offices in all these states expressed much interest in this survey and cooperated in furnishing the information requested on the questionnaires.

The data on the respective questionnaires have been tabulated and summarized as shown on the tables on the following pages. Copy of the salary survey questionnaire used in this study is included as an exhibit in an appendix of this report.

The following information is shown on the tables:

(a) The annual maximum salaries of selected state administrative officials is seven largest states including the State of California, and the state median of salaries in the six states.

(b) The percentage relationship of salaries of the selected state administrative officials in the six larger states.

(c) The annual maximum salaries of selected state administrative officials in the States of Oregon, Washington and California.

The information on the annual maximum salaries of the selected administrative positions in the six larger states furnished the basis for determining the median salaries of these positions in the six states for use in determining the relative evaluations. These data were used for comparative purposes and for determining the relative evaluation of the bench mark jobs in the different states. Following are observations from analyses of the data included in these tables:

(1) There are marked differences in salaries provided for comparable positions in the different states due either to differences in organization and in duties and responsibilities and the variations in economic conditions and legislative policies for fixing the executive salaries in the respective states.

(2) The present salaries provided for comparable positions in the State of California are consistently higher than the six-state median salaries, with a total of 33 California positions above the median, five approximately on the median curve, and seven below the median salary curve.

ANNUAL MAXIMUM SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SEVEN LARGEST STATES INCLUDING THE STATE OF CALIFORNIA

Source: Salary Survey by J. L. Jacobs & Company, Chicago and Los Angeles
January, 1950

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*6-State Median*	*State of California*
Governor	$25,000	$25,000	$22,500	$20,000	$12,000	$13,000	$21,250	$25,000
State Treasurer	.	15,000	12,500	10,000	12,000	8,500	12,000	12,000
Superintendent of Public Instruction	20,000	15,000	12,500	15,000	12,000	8,600	13,750	15,000
*Chief Public Works Director	17,500	15,000	12,500	15,000	10,896	8,666	13,750	15,000
Attorney General	20,000	15,000	12,500	7,500	9,000	8,500	10,750	16,000
Controller	20,000	15,000	12,000	12,000		8,500 [3]	12,000	12,000
Director of Public Health	15,000	15,000	12,000	15,000	10,000	8,600	13,500	13,000
Members, Public Utility Commission	16,500	14,000	7,500	12,000	12,000	9,000	12,000	12,000
Secretary of State	15,000	15,000	12,500	10,000	9,000	8,500	11,250	12,000
Director of Natural Resources	--	15,000	10,000	7,500	10,000	10,000	10,000	12,000
*Second Public Works Chief	13,500	--	10,380	12,000	10,000	8,600	10,380	10,000
Director of Mental Hygiene	16,500	12,000	12,000	12,000	10,000	10,000	12,000	15,000
Labor Commissioner	16,500	15,000	7,500	12,000	10,000	8,666 [15]	11,000	10,000 [16]
Director of Social Welfare	16,500	15,000	10,380	12,000	8,762	8,666 [7]	11,190	12,000
†Director of Finance	16,500	10,000 [1]	10,000 [2]	--	10,000	8,666	10,000	15,000
Superintendent of Banks	16,500	15,000	8,000	9,000	9,900	7,500	9,450	15,000
Executive Secretary to Governor	16,500	12,000	10,000	12,000		8,500	12,000	10,000
Director of Corrections	15,000	-- [8]	12,000	12,000	7,500	7,500	12,000	12,500
Insurance Commissioner	16,500	15,000	7,500	9,000	10,000	6,666	9,500	12,500
Director of Agriculture	15,000	15,000	8,500	10,000	10,000	8,666	10,000	12,000
Chief of Public Employment and Benefits	14,000	9,528	8,760	12,000	9,840	9,000	9,684	12,000
Highway Patrol Commissioner	12,000	15,000	10,000	12,000	5,500	5,775	11,000	12,000
Deputy Director Department of Justice	15,000	10,000	6,750 [4]	15,000	8,640	--	10,000	10,000
Deputy Superintendent of Public Instruction	14,000	12,000	8,760	9,300	7,800	6,316	9,030	9,000
Director Department of Motor Vehicles	13,500	6,900	7,260 [5]	12,000	9,000	--	9,000	12,000
Commissioner of Corporations	-- [13]	-- [13]	7,500	8,100	9,000	8,666 [14]	8,383	10,000
Director of Professional and Vocational Standards	10,900	10,000	--	--	10,000	--	10,000	10,000
Adjutant General	8,500	15,000	8,324	8,544	8,000	11,457	8,522	8,800

ANNUAL MAXIMUM SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SEVEN LARGEST STATES INCLUDING THE STATE OF CALIFORNIA—Continued

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*6-State Median*	*State of California*
Members, Industrial Accident Commission	$10,375	$10,000	$7,500	--	$7,500	$7,500	$7,500	$10,000
Building and Loan Commissioner	--	6,900	4,740	$9,000	9,300	6,666	6,900	10,000
Members, Equalization Board	--	10,000	--	8,000	--	--	9,000	12,000
Real Estate Commissioner	--	--	7,260	--	--	5,333	6,280	10,000
Director of Research and Planning	--	10,000	--	7,500[10]	--	--	8,750	10,000
Legislative Counsel	9,275	--	8,150	7,500	8,500	--	8,325	15,000
State Librarian	10,113	8,472	7,260	9,000	6,660	6,300	7,866	9,500
Director of Veterans Affairs	14,000	6,900	--	7,500	7,000	--	7,250	10,000
Director of Youth Authority	11,425	--	--	7,500	--	--	9,462	12,000
Director of Industrial Relations	10,113	10,000	5,170	--	6,072	-- [15]	8,036	7,200 [16]
Members, Unemployment Appeals Board	10,900	11,000	6,180	7,500	4,500	8,000	7,750	12,000
Chief of Industrial Safety	10,113 [6]	4,176	5,700	9,000	5,000	6,696 [6]	6,198	7,200
Lieutenant Governor	10,000	15,000	5,900	--	5,000	4,000	5,900	12,000
Secretary, Horse Racing Board	9,325	--	5,000	7,000	6,000	3,600[17]	6,000	10,000
State Fire Marshal	6,406 [9]	5,154	5,340	6,420	5,500	6,000	5,750	10,000
Members, Civil Service Commission	11,000	3,000	--	5,000	3,600	6,000	5,000	3,600
Secretary, Athletic Commission	9,275[11]	4,668	4,000	3,000	4,200	--	4,200	10,000

[1] "Budget Secretary"
[2] Budget Division Director.
[3] Auditor of State
[4] Supreme Court Clerk.
[5] Supervises issuance of licenses.
[6] Chief of both Industrial Welfare and Safety
[7] Includes all Welfare (Social Welfare Director $6,000).
[8] $6,900 Inspector of Institutions.
[9] Forest Fire control.
[10] Plus $2,500 for other duties.
[11] Chairman
[12] See Secretary of State
[13] $8,472 Director of Corporation Taxes
[14] Commerce (banks, insurance, securites, etc.)
[15, 16] Top job is titled "Director of Industrial Relations" in these states; "Labor Commissioner" in other states.
[17] Chairman

* Highest and second Public Works and Highway positions Highways under public works in New York, Illinois, and California.

† Finance Department organization varies in certain states

ANNUAL MAXIMUM SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN THE STATES OF OREGON, WASHINGTON AND CALIFORNIA

Source: Salary Survey by J. L. Jacobs & Company
Chicago and Los Angeles, January, 1950

	State of Oregon	*State of Washington*	*State of California*
Governor	$10,000	$15,000	$25,000
State Treasurer	8,000	8,500	12,000
Superintendent of Public Instruction	7,200	8,500	15,000
Chief Public Works Director	9,600	10,000	15,000
Attorney General	8,000	10,000	16,000
Controller	7,200	8,500	12,000
Director of Public Health	8,400	10,080	13,000
Members, Public Utility Commission	8,000	8,500	12,000
Secretary of State	8,000	8,500	12,000
Director of Natural Resources	6,000	8,500	12,000
Second Public Works Chief	---	8,500	10,000
Director of Mental Hygiene	8,400	---	15,000
Labor Commissioner	7,200	8,500	10,000
Director of Social Welfare	7,200	8,500	12,000
Director of Finance	7,800	8,500	15,000
Superintendent of Banks	6,000	7,320	15,000
Executive Secretary to Governor	7,200	8,500	10,000
Director of Corrections	6,420	10,000	12,500
Insurance Commissioner	6,000	8,500	12,500
Director of Agriculture	7,200	8,500	12,000
Chief of Public Employment and Benefits	---	8,500	12,000
Highway Patrol Commissioner	7,200	8,500	12,000
Deputy Director, Department of Justice	6,600	---	10,000
Deputy Superintendent of Public Instruction	6,000	9,600	9,000
Director, Department of Motor Vehicles	6,480	---	12,000
Commissioner of Corporations	6,000	---	10,000
Director of Professional and Vocational Standards	5,400	8,500	10,000
Adjutant General	6,600	9,576	8,800
Members, Industrial Accident Commission	7,200	9,000	10,000
Building and Loan Commissioner	---	7,320	10,000
Members, Equalization Board	---	8,500	12,000
Real Estate Commissioner	6,000	---	10,000
Director of Research and Planning	---	7,320	10,000
Legislative Counsel	---	3,600	15,000
State Librarian	6,000	6,300	9,500
Director of Veterans Affairs	6,000	7,500	10,000
Director of Youth Authority	---	---	12,000
Director of Industrial Relations	---	7,320	7,200
Members, Unemployment Appeals Board	---	6,000	12,000
Chief of Industrial Safety	---	7,320	7,200
Lieutenant Governor	---	6,000	12,000
Secretary, Horse Racing Board	5,100	4,380	10,000
State Fire Marshal	---	4,500	10,000
Members, Civil Service Commission	---	---	3,600
Secretary, Athletic Commission	---	4,000	10,000

(3) The present salaries provided for the state administrative positions in California are more directly comparable with the salaries provided for similar positions in the states of New York and Pennsylvania.

(4) The present salaries of the California state administrative positions consistently fall either in the first, second or third rank to the top salaries for comparable positions in the six states.

(5) Present salaries of the California state positions exceed the maximum salaries in the six other states in the case of 10 positions, are the same or similar for two positions, and are below the maximum for 33 positions.

The table on the following page shows the percentage relationship of the present salaries for the above positions in each of the six larger

PERCENTAGE RELATIONSHIP OF SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SIX LARGEST STATES*

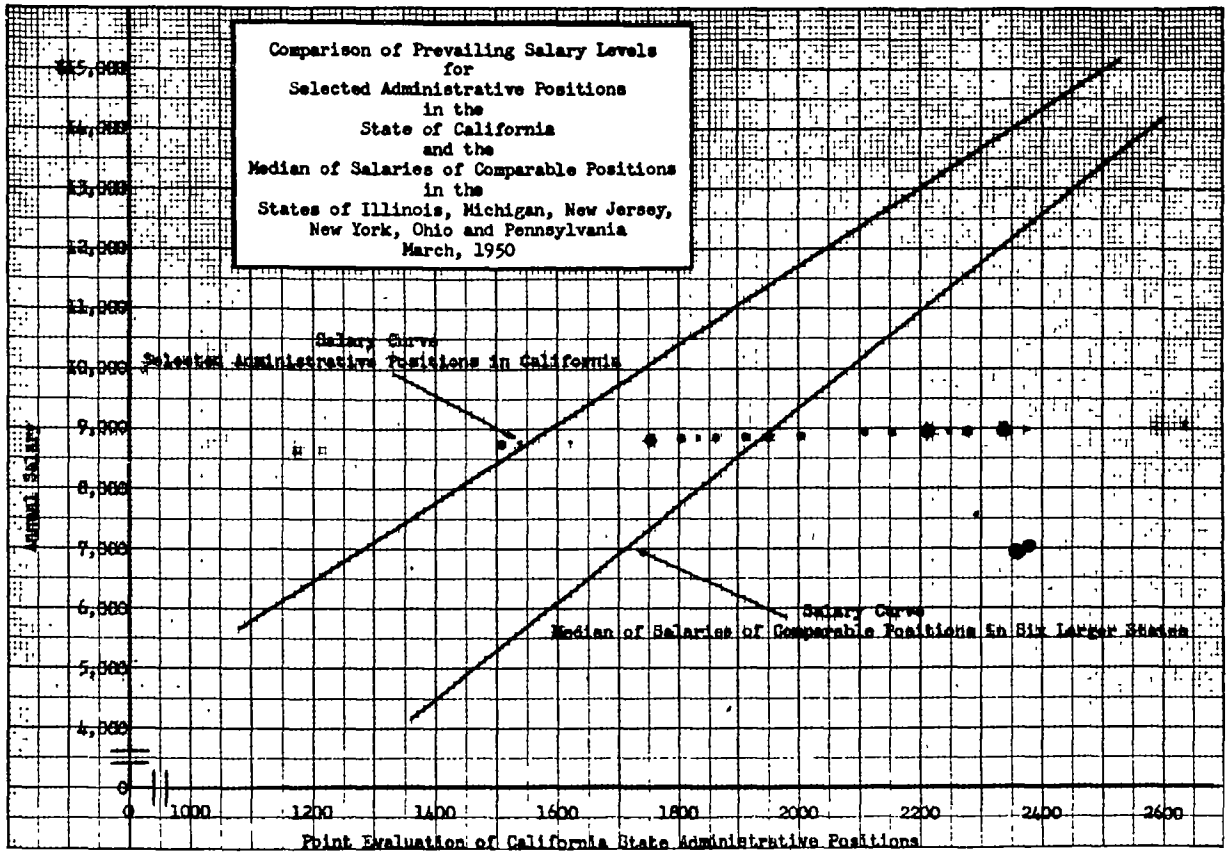
Source: Salary Survey by J. L. Jacobs & Company, Chicago and Los Angeles
January, 1950

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*Median*
Governor	125.0%	166.7%	180.0%	133.3%	100.0%	151.2%	142.3%
State Treasurer		100.0	100.0	66.7	100.0	98.8	100.0
Superintendent of Public Instruction	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Chief Public Works Director	87.5	100.0	100.0	100.0	90.8	100.8	100.0
Attorney General	100.0	100.0	100.0	50.0	75.0	98.8	99.4
Controller	100.0	100.0	96.0	80.0	--	98.8	98.8
Director of Public Health	75.0	100.0	96.0	100.0	83.3	100.0	98.0
Members, Public Utility Commission	82.5	93.3	60.0	80.0	100.0	104.7	87.9
Secretary of State	75.0	100.0	100.0	66.7	75.0	98.8	86.9
Director of Natural Resources		100.0	80.0	50.0	83.3	116.3	83.3
Second Public Works Chief	67.5	--	83.0	80.0	83.3	100.0	83.3
Director of Mental Hygiene	82.5	80.0	96.0	80.0	83.3	116.3	82.9
Labor Commissioner	82.5	100.0	60.0	80.0	83.3	100.8	82.9
Director of Social Welfare	82.5	100.0	83.0	80.0	73.0	100.8	82.8
Director of Finance	82.5	66.7	80.0	--	83.3	100.8	82.5
Superintendent of Banks	82.5	100.0	64.0	60.0	82.5	87.2	82.5
Executive Secretary to Governor	82.5	80.0	80.0	80.0		98.8	80.0
Director of Corrections	75.0		96.0	80.0	62.5	87.2	80.0
Insurance Commissioner	82.5	100.0	60.0	60.0	83.3	77.5	80.0
Director of Agriculture	75.0	100.0	68.0	66.7	83.3	100.8	79.2
Chief of Public Employment and Benefits	70.0	63.5	70.0	80.0	82.0	104.7	75.0
Highway Patrol Commissioner	60.0	100.0	80.0	80.0	45.8	67.2	73.6
Deputy Director Department of Justice	75.0	66.7	54.0	100.0	72.0	--	72.0
Deputy Superintendent of Public Instruction	70.0	80.0	70.0	62.0	65.0	73.4	70.0
Director Department of Motor Vehicles	67.5	46.0	58.0	80.0	75.0		67.5
Commissioner of Corporations		--	60.0	54.0	75.0	100.8	67.5
Director of Professional and Vocational Standards	54.5	66.7	--		83.3	--	66.7
Adjutant General	42.5	100.0	66.6	57.0	66.7	133.2	66.7
Members, Industrial Accident Commission	51.9	66.7	60.0	--	62.5	87.2	62.5
Building and Loan Commissioner	-	46.0	37.9	60.0	77.5	77.5	60.0
Members, Equalization Board	--	66.7	--	53.3	--	--	60.0
Real Estate Commissioner	--		58.0	--	--	62.0	60.0
Director of Research and Planning	--	66.7	--	50.0		--	58.3

PERCENTAGE RELATIONSHIP OF SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SIX LARGEST STATES *—Continued

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*Median*
Legislative Counsel	46.4%	--	65.2%	50.0%	70.8%	--	57.6%
State Librarian	50.6	56.5%	58.0	60.0	55.5	73.3%	57.3
Director of Veterans Affairs	70.0	46.0	--	50.0	58.3	--	54.2
Director of Youth Authority	57.1	--	--	50.0	--	--	53.6
Director of Industrial Relations	50.6	66.7	41.4	--	50.6	--	50.6
Members, Unemployment Appeals Board	50.5	73.3	49.4	50.0	37.5	93.0	50.3
Chief of Industrial Safety	50.6	27.8	45.6	60.0	41.7	77.9	48.1
Lieutenant Governor	50.0	100.0	47.2	--	41.7	46.5	47.2
Secretary, Horse Racing Board	46.6	--	40.0	46.7	50.0	41.9	46.7
State Fire Marshal	32.0	34.3	42.7	42.8	45.8	69.7	42.8
Members, Civil Service Commission	55.0	20.0	--	33.3	30.0	69.7	33.3
Secretary, Athletic Commission	46.4	31.1	32.0	20.0	35.0	--	32.0

* Salary of Superintendent of Public Instruction used as base to determine percentage relationships


Comparison of Prevailing Salary Levels
for
Selected Administrative Positions
in the
State of California
and the
Median of Salaries of Comparable Positions
in the
States of Illinois, Michigan, New Jersey,
New York, Ohio and Pennsylvania
March, 1950
Salary Curve
Selected Administrative Positions in California
Salary Curve
Median of Salaries of Comparable Positions in Six Larger States
Annual Salary
15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
0
0
1000
1200
1400
1600
1800
2000
2200
2400
2600
Point Evaluation of California State Administrative Positions

states and the median salary percentage in these states. The salary for Superintendent of Public Instruction has been used as the 100 percent base for this comparison as this position has been found to have substantially similar duties and responsibilities in the different states covered.

The information collected from the salary survey in the six states indicates the relative value of these positions as expressed by salaries paid in the respective states. Eliminating the positions where there are distinct variations both in the duties, responsibilities and salaries provided, the relative values for 31 of the 45 positions fall within 10 percent plus or minus of the median salaries in four of the six states. These relative values of the bench mark positions are sufficiently similar to furnish valuable information for comparative purposes

This information on the relative values of the bench mark positions which were within 10 percent of the median salaries had been used as a check on the evaluations of the state administrative positions in California.

The data on the salaries paid in the States of Oregon and Washington are shown on the table on page 1288. This shows the salary conditions in the Pacific Coast states as compared with salaries of similar positions in the State of California. As these states have substantially smaller organizations and the conditions vary materially from those in California, such salary data has not been used for comparative purposes or as a check on the relative values or salaries of comparable positions in the State of California.

G. SALARY LEVELS FOR ADMINISTRATIVE POSITIONS IN CALIFORNIA AND SIX LARGER STATES

In order to furnish an over-all comparison of the relative value and the salary levels for state administrative positions in California and in the other six larger states, salary curves are shown on the chart on page 1291 for both the State of California and the median of salaries in the six other larger states.

These curves show the relationship between the total evaluations of positions in California and the present salaries for state administrative positions in California and the median of salaries for comparable positions in the six larger states.

The curves have been developed by plotting on the curve the evaluation points for the respective positions and the corresponding salaries in California and the median of salaries in the six states.

It will be noted from this chart that the general salary level for the state administrative positions in California are higher than the median of salaries in the six other larger states and that the margin between the salary levels is greater in the case of the state administrative positions with lower evaluations than for positions with higher evaluations. This is significant in that the salaries for the lower grade positions in California are generally higher than for comparable jobs in the six other larger states.

PART SIX

DETERMINATION OF RECOMMENDED EQUALIZED SALARIES

The factors used in determining the equalized salary for each position have been considered in the determination of the recommended equalized salaries for the state administrative positions.

The recommended salaries are based upon the orderly evaluations of positions and the equalization of salaries related to such objective evaluations.

Consideration of such relationships provides an integrated compensation plan and assures substantially similar compensation for the state administrative positions in the State Government having similar basic responsibilities.

The main criteria or factors which were considered in determining the recommended equalized salaries are as follows:

(1) The character and importance of the duties and responsibilities of each position.

(2) The relative over-all evaluation of the duties, responsibilities and other requirements of each position.

(3) The equalized salaries for a cross section of the state administrative positions having close inter-relationship between position evaluation and salaries.

(4) The general economic conditions in California and changes in salaries for different positions and of salary levels provided for administrative positions in the States of New York and Pennsylvania, in local municipal and county governmental jurisdictions of the State of California, and in private industry.

(5) The policy of the Legislature in approving salaries for other state supervisory and technical positions in order to insure integrated salary schedules in the state service.

The determination of appropriate compensation for executive positions is much more complex and involved than determining the salary for specific craft or clerical positions. In the latter, direct counterparts of the state positions may be found in private industry and in govermental jurisdictions. However, for executive positions in the state service, it is difficult to make direct comparisons with specific executive positions in either private industry or in other governmental jurisdictions due to wide differences in organization, size, and scope of activity. The difficulty in making direct position-by-position comparisons for salary fixing purposes presented one problem in the determination of appropriate compensation for these positions and the requirement that the State must recruit qualified and experienced personnel for state administrative positions presented a second problem particularly due to the present extent of nation-wide defense preparations. With due consideration to both problems, and after careful investigation subsequent to the determination of the relative (equalized) value of each of these positions, the recommended equalized salaries were based upon the general level of compensation for similar or comparable positions in the states of New York and Pennsylvania and in local municipal and county governmental jurisdictions in the State of California.

Comparisons were made between the level of compensation for a selected group of 15 department heads in California with similar groups in the States of New York and Pennsylvania since New York and Pennsylvania are the two states, of the six states originally surveyed, most comparable to the State of California in size and all three have fixed the annual salary of their Governor at $25,000. The 15 selected executive positions in New York range from $15,000 to $20,000 a year, and in Pennsylvania concentrate at the $15,000 level. In California the top 15 executive salaries range from $12,000 to $16,000, with a concentration at $15,000.

Because of the size and complexity of its program requiring large budgets and staff coupled with the complicated problems arising from state-wide administration, it might be assumed that the State of California would have more executive and administrative positions in the $15,000 to $20,000 salary range than local governmental jurisdictions in the State. However, the survey indicates that the large local governmental jurisdictions in the State have a considerable number of executives and administrators at salaries of $15,000 and higher and, in addition, several such salaries are found in the smaller cities and counties in California. In spite of differences in size, comparison indicates that of the executive positions studied California has six positions at $15,000 a year and one at $16,000, while in San Francisco there are eight positions at $15,000 and two at $18,000; in Los Angeles County, six positions at $15,000, and one position at $18,000; in Los Angeles City, 12 positions at $15,000, five at the $17,000 level, and five at higher levels up to $27,456. Salaries of $15,000 and higher are found in many smaller jurisdictions. The top executive salaries of San Francisco, Los Angeles County, the City of Los Angeles, are listed on the table on page 1295.

A review of executive salaries in private corporations in California indicates that it is not possible for government to match the salaries paid in private industry. The average salaries paid by nine public utility companies range from $18,495 for the chiefs of major divisions to $60,625 for the presidents of these firms. A table of the average salaries paid to these executives of private corporations is on page 1295.

In view of the disparities in compensation which exist between the executive and administrative positions in the State of California with the levels of administrative compensation for similar positions in the states and local governmental jurisdictions mentioned above, as well as with private industry and the continuous requirement on the State of California to recruit qualified and experienced personnel for executive and administrative positions, the salary level for executive positions in the State of California should be increased. Comparisons with private and other governmental agencies indicate that the present level for state executive and administrative salaries is not in proper relationship with those found elsewhere. Such outside salaries justify the conclusion that the level of compensation for executive and administrative positions should be increased from a present range of $8,000-$15,000 a year, to a range of $10,000-$17,500. The listing of the recommended salary for each executive and administrative position is shown on the table on page 1296. Specific notes on the proposed salaries for other positions are included in Part Two, Section II. The point evaluation and salary curve based on executive salary levels in other jurisdictions is on page 1297.

ADMINISTRATIVE SALARIES IN SELECTED PRIVATE COMPANIES—1949

Office	*Total number of Positions*	*Average of 9 Public Utilities*
President	9	$60,625
Vice President and General Manager	8	32,290
Other Vice Presidents	25	23,418
Vice Presidents and Assistants to President	4	18,439
Assistant Vice Presidents	6	16,959
Chief Counsel	6	25,935
Assistant Chief Counsel	5	17,907
Chief Engineer	5	20,755
Comptroller	6	21,229
Manager of Major Division	12	18,495

SALARIES FOR FIFTEEN HIGHEST PAID EXECUTIVE POSITIONS

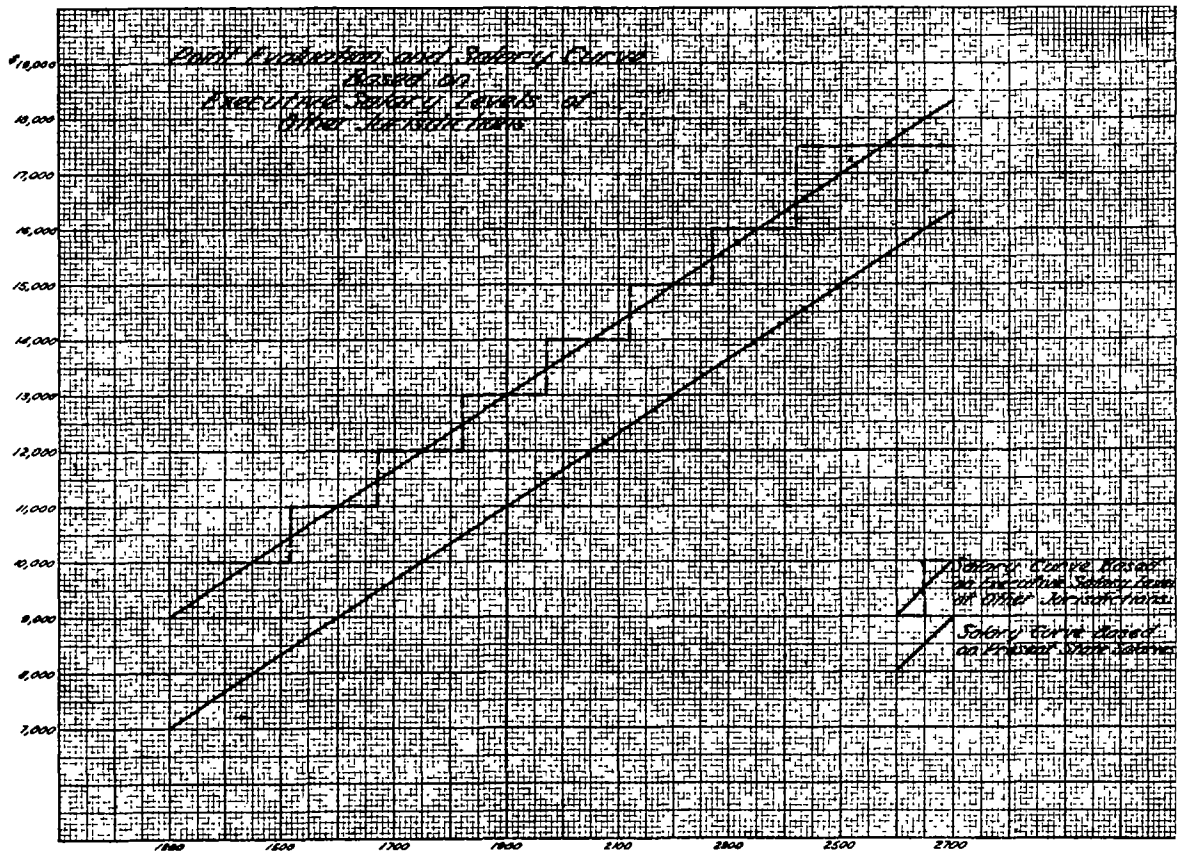
Fiscal Year 1950-51

Salary	*Calif.*	*New York*	*Penn.*	*San Francisco City and County*	*Los Angeles City and County*
20,500-over	--	--	--	--	1
19,500-20,499	--	3	--	--	2
18,500-19,499	--	--	--	--	--
17,500-18,499	--	2	--	2	2
16,500-17,499	--	7	--	--	5
15,500-16,499	1	--	--	--	--
14,500-15,499	6	3	15	8	12
13,500-14,499	--	--	--	--	7
12,500-13,499	3	--	--	1	4
11,500-12,499	5	--	--	4	13
10,500-11,499	--	--	--	--	1
9,500-10,499	--	--	--	--	3

STATE OF CALIFORNIA

POINT EVALUATION BRACKETS, PRESENT SALARY AND PROPOSED SALARY FOR SELECTED ADMINISTRATIVE POSITIONS INCLUDED IN SURVEY

Position Title	*Point Evaluation Bracket*	*Present Annual Salary*	*Proposed Annual Salary*
Superintendent of Public Instruction	2420-2700	$15,000	$17,500
Director of Finance	2420-2700	15,000	17,500
Director of Public Works	2420-2700	15,000	17,500
Director of Mental Hygiene	2420-2700	15,000	17,500
Members, Public Utilities Commission	2420-2700	12,000	17,500
State Controller	2270-2420	12,000	16,000
Director of Corrections	2120-2270	12,500	15,000
Director of Public Health	2120-2270	13,000	15,000
Commissioner of the California Highway Patrol	1970-2120	12,000	14,000
Secretary of State	1970-2120	12,000	14,000
Members, State Board of Equalization	1970-2120	12,000	14,000
Director of Youth Authority	1970-2120	12,000	14,000
Superintendent of Banks	1970-2120	15,000	14,000
Associate Superintendent of Public Instruction (Colleges)	1970-2120	9,000	14,000
Director of Motor Vehicles	1970-2120	12,000	14,000
Chief, Division of Public Employment Offices and Benefit Payments	1970-2120	12,000	14,000
Members, California Unemployment Insurance Appeals Board	1970-2120	12,000	14,000
Director of Agriculture	1970-2120	12,000	14,000
State Treasurer	1970-2120	12,000	14,000
Insurance Commissioner	1970-2120	12,500	14,000
Executive Officer—Franchise Tax Board	1970-2120	12,000	14,000
Chief, Division of Accounts and Tax Collections	1970-2120	12,000	14,000
Director of Professional and Vocational Standards	1820-1970	10,000	13,000
Director of Industrial Relations	1820-1970	10,000	13,000
Associate Superintendent of Public Instructions (Instruction)	1820-1970	9,000	13,000
Director of Natural Resources	1820-1970	12,000	13,000
Port Manager (S. F. Harbor Commission)	1820-1970	12,000	13,000
Deputy Superintendent of Public Instruction (Special Schools)	1820-1970	9,000	13,000
Associate Superintendent of Public Instruction (School Administration)	1820-1970	9,000	13,000
Director of Veterans Affairs	1820-1970	10,000	13,000
Members, Youth Authority	1670-1820	10,000	12,000
Members, Adult Authority	1670-1820	10,000	12,000
Commissioner of Corporations	1670-1820	10,000	12,000
Members, Industrial Accident Commission	1670-1820	10,000	12,000
Real Estate Commissioner	1670-1820	10,000	12,000
Chief Deputy Superintendent of Banks	1670-1820	10,000	12,000
Building and Loan Commissioner	1670-1820	10,000	12,000
Labor Commissioner	1520-1670	8,940	11,000
Chief, Division of Industrial Safety	1520-1670	8,940	11,000
State Fire Marshal	1520-1670	10,000	11,000
Deputy Superintendent of Public Instruction (Departmental Administration)	1520-1670	9,000	11,000
Registrar of Contractors	1520-1670	8,000	11,000
State Librarian	1370-1520	9,500	10,000
Chief, Division of Industrial Welfare	1370-1520	8,490	10,000
Director of Aeronautics	1370-1520	12,000	10,000
Secretary, California Horse Racing Board	1370-1520	10,000	10,000
Chief, Division of Housing	1370-1520	8,940	10,000
Secretary, State Athletic Commission	1370-1520	10,000	10,000
Deputy State Treasurer	1370-1520	8,000	10,000


Part Probation and Salary Curve
Based on
Executive Salary Levels at
Other Institutions
$18,000
17,000
16,000
15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
1500
1600
1700
1800
2100
2400
2500
2700
Salary Curve Based
on Executive Salary Levels
at Other Institutions
Salary Curve Based
on Present State Salaries

PART SEVEN

OUTLINE PROCEDURE FOR PERIODIC SALARY SURVEY

The following outlines the more important steps recommended to be used by the proposed joint salary survey committee in making periodic salary surveys of comparable bench mark positions in the larger states:

(1) Review and revise the list of representative administrative positions on which prevailing salaries and other employment data for comparable positions was used in the current salary survey.

(2) Review and make any necessary changes in the descriptions of duties and responsibilities of the positions on which comparable salary data are to be obtained.

(3) Review and prepare the salary questionnaire with detailed instructions on the information to be obtained.

(4) Review and make necessary revision in the list of governmental organizations of comparable size and character, from which salary information should be requested.

(5) Send letter with the questionnaire to each participating agency, outlining the purpose of the survey, promising that the information received will be kept confidential and that each agency will be furnished with a copy of the summary tabulations prepared from such wage survey.

(6) Arrange for necessary follow-up with certain agencies in order to review the information furnished and to assist in clearing up any questions on position content and on data dealing with salaries and working conditions as requested on the questionnaire.

(7) Review salary and other information included on questionnaires from reporting governmental agencies, make necessary rechecks and corrections of data and obtain supplemental information from California departments and agencies to assure proper sample and distribution.

(8) Tabulate the information on prevailing wages and working conditions of comparable positions by reporting governmental and other participating agencies.

(9) Prepare report and recommendations to the legislative committees on any change in salary schedule for specific positions on which the prevailing salary data indicates variations from the base salary schedules in the salary plan.

(10) Follow through on action taken by the Legislature authorizing any change or adjustment of salary schedules and record changes on the compensation plan.

Appendix A

A LIST OF ELECTIVE AND APPOINTIVE OFFICERS OF THE STATE OF CALIFORNIA WHOSE COMPENSATION IS FIXED BY STATUTE, WITH SUMMARIES OF AND CITATIONS TO THOSE PROVISIONS OF LAW WHICH DEFINE THEIR POWERS AND DUTIES, AND A LIST OF EX OFFICIO POSITIONS HELD BY SUCH OFFICERS

Prepared for the Assembly Interim Committee on Equalization of Salaries, Qualifications, and Job Classification of Public Employees

Created by H. R. 255 of the 1949 Regular Session of the Legislature of California

FRED B. WOOD, Legislative Counsel
State Capitol, Sacramento, California
January, 1950

PART ONE

STATUTES

ABBREVIATIONS USED IN CITATIONS

Ag. C.	Agricultural Code
B. C.	Banking Code
B. & P. C.	Business and Professions Code
Corp. C.	Corporations Code
Educ. C.	Education Code
Elec. C.	Elections Code
F. & G. C.	Fish and Game Code
Gov. C.	Government Code
H. & N. C.	Harbors and Navigation Code
H. & S. C.	Health and Safety Code
Ins. C.	Insurance Code
Lab. C.	Labor Code
M. & V. C.	Military and Veterans Code
Pen. C.	Penal Code
Pol. C.	Political Code
P. R. C.	Public Resources Code
S. & H. C.	Streets and Highways Code
V. C.	Vehicle Code
W. & I. C.	Welfare and Institutions Code
Sec.	Section
Art.	Article
Ch.	Chapter
Const.	Constitution
D. A.	Deering's Act
Stats.	Statutes

NOTE: If the material cited was enacted at the 1949 General Session, the year, chapter, and page number will be cited.

I. Adjutant General's Office

A. Generally

Section 1. "The Legislature shall provide, by law, for organizing and disciplining the militia, in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the Legislature shall from time to time direct, and shall be commissioned by the Governor. The Governor shall have power to call forth the militia to execute the laws of the State, to suppress insurrections, and repel invasions." (Const., Art. VIII.)

B. Adjutant General

"There shall be in the State Government the office of The Adjutant General." (M. & V. C., 50.)

"The office of the Adjutant General shall include the National Guard and Naval Militia." (M. & V. C., Sec. 51.)

"The Adjutant General succeeds to and is vested with the duties, powers, purposes, responsibilities and jurisdiction of the Division of Military Affairs * * *." (M. & V. C., Sec. 52.)

"The Adjutant General is chief of staff of the Governor and subordinate only to him." (M. & V. C., Sec. 160.)

"The office of the Adjutant General consists of one officer of the rank of Major General who is the Adjutant General, one officer of the rank of Brigadier General who is the Assistant Adjutant General, * * *." (M. & V. C., Sec. 161.)

"The Adjutant General shall be appointed by the Governor with the advice and consent of the Senate, and shall hold office at the pleasure of the Governor, * * *." (M. & V. C., Sec. 162.)

"The salary of the Adjutant General shall be the same pay and allowances as is received by a Major General in the United States Army and shall be paid in the same manner and at the same time as other State officers." (M. & V. C., Sec. 164.1.)

"The Adjutant General shall perform such duties as are prescribed in this code and such additional duties consistent with the regulations and customs of the United States Army, United State Air Force, and the United States Navy as may be prescribed by the Governor, * * *." (M. & V. C., Sec. 163, Stats: 1949 :466 :812.)

C. Assistant Adjutant General

"All officers, * * * on active duty with the office of the Adjutant General shall be appointed by the Governor, with consideration of the recommendation of the Adjutant General, * * *." (M. &. V. C., Sec. 167, Stats. 1949 :466 :812.)

"* * * The Assistant Adjutant General shall be a brigadier general and shall receive the same pay and allowance as a brigadier general in the United States Army." (M. & V. C., Sec. 168, Stats. 1949 :466 :812.)

II. Aeronautics Commission

A. Director of Aeronautics

"(a) There is hereby created the California Aeronautics Commission to consist of five members, who shall be appointed by the Governor by and with the consent of the Senate, * * *.

"(b) (1) A Director of Aeronautics shall be appointed by the commission. He shall hold the confidential position for the commission, exempt from Civil Service, and shall serve at the pleasure of the commission * * *. He shall receive a salary of not more than * * * ($12,000) per annum, to be fixed by the commission, and shall be reimbursed for all traveling and other expenses, incurred by him in the discharge of his official duties.

"(2) The Director shall be the executive officer of the commission and under its supervision shall administer the provisions of this act and the rules * * * established thereunder and all other laws of the State relative to aeronautics. * * *" (Sec. 3, D. A. 151a, Stats. 1947 :1379: 2927.)

III. Agriculture, Department of

A. Director of Agriculture

"There is in the State government a Department of Agriculture." (Ag C., Sec. 20.)

"The department shall be conducted by an executive officer known as the Director of Agriculture The director shall be appointed and hold office at the pleasure of the Governor and shall receive a salary of * * * ($12,000) per annum. * * *" (Ag. C., Sec. 21)

"The department shall promote and protect the agricultural industry of the State; prevent fraud and deception in the packing or labeling or in any phase of the marketing of agricultural products governed by this Code; * * * execute the provisions of this Code. * * *" (Ag C., Sec. 30.)

IV. Banking Department

A Superintendent of Banks

"There is in the State Government a State Banking Department. * * *" (B. C., Sec. 200, Stats. 1949:755:1376.)

"The chief officer of the State Banking Department is the Superintendent of Banks * * *." (B. C., Sec. 210, Stats 1949:755:1376.)

"The superintendent is appointed by the Governor. He holds office at the pleasure of the Governor. (B. C., Sec. 211, Stats. 1949:755:1376.)

"The annual salary of the superintendent is * * * ($15,000)." (B. C., Sec. 213, Stats 1949.755:1376)

"The superintendent is responsible for the performance of all duties, the exercise of all powers and jurisdiction, and the assumption and discharge of all responsibilities vested by law in the department. He has and may exercise all the powers necessary or convenient for the administration and enforcement of the laws relating to banks and trust companies and the banking and trust business in this State * * *." (B. C., Sec. 215, Stats 1949:755:1376.)

B. Chief Deputy

"The superintendent shall appoint a chief deputy who holds office at the pleasure of the superintendent. The annual salary of the chief deputy is * * * ($10,000). He shall have the same qualifications as the superintendent." (B. C, Sec. 230, Stats. 1949:755:1376.)

V. Building and Loan Commission, Office of

"The office of the Building and Loan Commissioner is hereby created * * *. The Building and Loan Commissioner shall be appointed by the Governor, with the consent of the Senate, and shall hold office at the pleasure of the Governor * * * . The commissioner shall be charged with the administration and enforcement of this act, and of all other laws relating to * * * associations subject to this act." (Sec. 13.01, D. A. 986, Stats. 1945:1504:2807.)

"The commissioner shall receive an annual salary of * * * ($10,000), payable monthly * * *." (Sec. 2, D. A. 987, Stats. 1945:1504:2807.)

VI. Constitutional Offices

A. Generally

"The supreme executive power of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of California." (Const., Art. V, Sec. 1.)

"A Secretary of State, a Controller, a Treasurer, an Attorney General, and a Surveyor General shall be elected at the same time and places, and in the same manner as the Governor and Lieutenant Governor, and their terms of office shall be the same as that of the Governor." (Const., Art. V, Sec. 17.)

"Notwithstanding anything contained elsewhere in this Constitution, the compensation for the services of the Governor, the Lieutenant Governor, the State Controller, Secretary of State, Superintendent of Public Instruction and State Treasurer may be fixed at any time by the Legislature at an amount not less than $10,000 per annum, for the Governor, and not less than $5,000 per annum for each of the other state officers named herein. Except by an act passed at the Fifty-seventh Regular Session of the Legislature, the compensation of no state officer named herein shall be increased nor diminished during his term of office." (Const., Art. V, Sec. 22.)

B. Governor

"The Governor shall be elected by the qualified electors at the time and places of voting for Members of the Assembly, and shall hold his office four years from and after the first Monday after the first day of January subsequent to his election, and until his successor is elected and qualified." (Const., Art. V, Sec. 2.)

"The annual salary of the Governor is * * * ($25,000)." (Gov. C., Sec. 12000.)

"The Governor shall supervise the official conduct of all executive and ministerial officers." (Gov. C., Sec. 12010.)

"The Governor shall see that all offices are filled and their duties performed. If default occurs, he shall apply such remedy as the law allows. If the remedy is imperfect, he shall so advise the Legislature at its next session." (Gov. C., Sec. 12011.)

C. Governor's Secretaries

"The Governor may appoint and fix the salaries of such secretaries and other personnel as he deems necessary for his office. No salary fixed under this section shall exceed * * * ($10,000) annually." (Gov. C., Sec. 12001.)

D. Lieutenant Governor

"A Lieutenant Governor shall be elected at the same time and place and in the same manner as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall only have a casting vote therein." (Const., Art. V, Sec. 15.)

"The annual salary of the Lieutenant Governor is * * * ($12,000)." (Gov. C., Sec. 12100.)

E. Secretary of State

"The Secretary of State shall keep a correct record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature, and shall perform such other duties as may be assigned him by law." (Const., Art. V, Sec. 18.)

"The annual salary of the Secretary of State is * * * ($12,000)." (Gov. C., Sec. 12150.)

"The Secretary of State is charged with custody of:

(a) The enrolled copy of the Constitution.
(b) All acts and resolutions passed by the Legislature.
(c) The Journals of the Legislature.
(d) The Great Seal.
(e) All books, records, deeds, parchments, maps, and papers, kept or deposited in his office pursuant to law." (Gov. C., Sec. 12160.)

"The Secretary of State shall attend at every session of the Legislature, for the purpose of receiving bills and resolutions * * *." (Gov. C., Sec. 12161.)

"The Secretary of State shall keep a register and attest the official acts of the Governor and shall affix the Great Seal, with his attestation, to commissions, pardons, and other public instruments, to which the official signature of the Governor is required." (Gov. C., Sec. 12162.)

"The Secretary of State shall receive and record in proper books the official bonds of all officers whose bonds are required by law to be filed with him." (Gov. C., Sec. 12163.)

"The Secretary of State shall record in proper books all:

(a) Conveyances made to the State * * *.
(b) Articles of incorporation filed in his office
(c) Changes of name certified to him * * *." (Gov. C., Sec. 12164.)

"The Secretary of State shall certify and declare the result of all elections upon any question submitted to the electors of the State * * *." (Gov. C., Sec. 12165.)

"No person shall conduct within this State a collection agency * * * without having first applied for and obtained a license." (B. & P. C., Sec. 6870.)

"The administration of this chapter is vested in the office of the Secretary of State * * *." (B. & P. C., Sec. 6860.)

"The Secretary of State shall keep in his office a suitable record * * * for licenses * * *." (B. & P. C , Sec. 6867.)

F. State Treasurer

"The annual salary of the State Treasurer is * * * ($12,000)." (Gov. C., Sec. 12300.)

"The Treasurer shall receive and keep in the vaults of the State treasury or deposit in banks all money belonging to the State, not required to be received and kept by some other person." (Gov. C., Sec. 12320.)

"The Treasurer shall keep an account of all money received and disbursed, and keep separate accounts of the different funds." (Gov. C., Sec. 12326.)

1. Deputy Treasurer and Cashier: "The Treasurer may appoint one Deputy Treasurer at an annual salary of * * * ($8,000), and one cashier at an annual salary of * * * ($6,000) * * *." (Gov. C., Sec. 12302, Stats. 1949:1420:2483.)

G. Attorney General

"* * * The Attorney General shall receive the same salary as that now or hereafter prescribed by law for an Associate Justice of the Supreme Court, and he shall not engage in the private practice of law * * *." (Const., Art. V, Sec. 21.)

"* * * The annual salary of each of the associate justices of the Supreme Court is * * * ($16,000) * * *." (Pol. C., Sec. 736.)

"The annual salary of the Attorney General includes all services rendered ex officio as a member of any board or commission." (Gov. C., Sec. 12500.)

"The Attorney General is head of the Department of Justice." (Gov. C., Sec. 12510.)

"The Attorney General has charge as attorney, of all legal matters in which the State is interested except * * *." (Gov. C., Sec. 12511.)

H. State Controller

"The annual salary of the Controller is * * * ($12,000)." (Gov. C., Sec. 12400.)

"The Controller shall superintend the fiscal concerns of the State. The Controller shall audit all claims agains the State, * * *." (Gov. C., Sec. 12410, Stats. 1949:187:423.)

"The Controller shall keep and state all accounts in which the State is interested and keep a separate account under the head of each specific appropriation, showing at all times the unexpended balance of the appropriation." (Gov. C., Sec. 12412.)

VII. Corporations, Division of

A. Commissioner of Corporations

"There is in the State Government a Division of Corporations. The chief officer of the Division of Corporations is the Commissioner of Corporations." (Corp. C., Sec. 25300, Stats. 1949:384:698.)

"The Commissioner of Corporations shall be appointed by the Governor and shall hold office at the pleasure of the Governor. He shall receive an annual salary of * * * ($10,000)." (Corp. C., Sec. 25301, Stats. 1949:384:698.)

VIII. Corrections, Department of

A. Director of Corrections

"A Department of Corrections is hereby established in the State Government." (Pen. C., Sec. 5000.)

"The department is composed of the Director of Corrections, the Board of Corrections, the Adult Authority, the Board of Trustees of the California Institution for Women, the Correctional Industries Commission, and the Youth Authority." (Pen. C., Sec. 5001.)

"The office of Director of Corrections is hereby created." (Pen. C., Sec. 5050.)

"The director shall be appointed by the Governor with the advice and consent of the Senate. He shall hold office at the pleasure of the Governor * * *. He shall receive a salary of * * * ($12,500) per year * * *." (Pen. C., Sec. 5051, Stats. 1949:1005:1850.)

"The Director of Corrections is the chief administrative officer of the Department of Corrections." (Pen. C., Sec. 5053.)

"All powers and duties granted to and imposed upon the Department of Corrections shall be exercised by the Director of Corrections, except where such powers and duties are expressly vested by law in the Adult Authority, the Board of Trustees of the California Institution for Women, or the Youth Authority * * *." (Pen. C., Sec. 5055.)

B. Adult Authority

"The Adult Authority shall be composed of three members, each of whom shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four years and until the appointment and qualification of his successor * * *." (Pen. C., Sec. 5075.)

"Each member of the Adult Authortiy shall devote his entire time to the duties of his office and shall receive a salary of * * * ($10,000) per year." (Pen. C , Sec. 5076.)

"* * * the Adult Authority shall exercise the powers and duties heretofore exercised by the Board of Prison Terms and Paroles, and the Advisory Pardon Board." (Pen. C., Sec. 5078.)

C. Youth Authority

"There is in the Department of Corrections the Youth Authority." (Pen. C., Sec. 6000.)

"The establishment, organization, jurisdiction, powers, duties, responsibilities, and functions of the Youth Authority are continued as provided in the Youth Authority Act * * *." (Pen. C., Sec. 6001.)

"Neither the Youth Authority nor the Director of the Youth Authority shall be subject to the supervision or control of the Director of Corrections " (Pen. C., Sec. 6002.)

"The Authority shall consist of three members, who shall devote their entire time to its work * * *." (W. and I. C., Sec. 1711.)

"Of the three positions on the authority, one position shall be filled by appointment by the Governor of a person who meets the requirements of this chapter.

"The second and third positions on the authority shall be filled by appointment by the Governor from the list of persons recommended by the advisory panel for that appointment." (W. & I. C., Sec. 1712.)

"The term of office of members of the authority shall be four years * * *." (W. & I. C., Sec. 1720.)

"The members of the authority shall receive a salary of * * * ($10,000) a year and their actual necessary traveling expenses * * *." (W. & I C., Sec. 1722.)

D. Director of Youth Authority

"The Governor shall designate one of the members of the authority as director of the Youth Authority, and the director shall be chairman of the authority. He shall receive a salary of * * * ($12,000) a year in

lieu of the salary received by members of the authority * * *." (W. & I. C., Sec. 1723, Stats. 1949:1005:1850.)

"The powers and duties of the authority in respect to classification, segregation, and parole of persons committed to the authority or to or for the placement in correctional schools shall be exercised and performed by the authority as such, and shall not be delegated by it to, nor exercised or performed by, any individual member. All other powers, duties, and functions * * * shall be exercised and performed by the director." (W. & I. C., Sec. 1725.)

IX. Education, State Board of

A. Superintendent of Public Instruction

"A Superintendent of Public Instruction shall, at each gubernatorial election after the adoption of this Constitution, be elected by the qualified electors of the State. He shall receive a salary equal to that of the Secretary of State, and shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election." (Const., Art. IX, Sec. 2.)

"* * * The compensation for the services of * * * Superintendent of Public Instruction * * * may be fixed at any time by the Legislature at an amount not less than * * * $5,000 per annum * * *." (Const., Art. V, Sec. 22.)

"There is in the State Government a State Board of Education, * * *." (Educ. C., Sec. 101.)

"The Superintendent of Public Instruction shall be secretary and shall act as executive officer of the board * * *." (Educ. C., Sec. 105.)

"The annual salary of the Superintendent of Public Instruction is twelve thousand dollars ($12,000). Effective with the commencement of the term of office of the Superintendent * * * elected * * * in 1950 the annual salary * * * shall be * * * ($15,000) * * *." (Educ. C., Sec. 141, Stats. 1949:1071:1947.)

"The State Superintendent of Public Instruction is ex officio Director of Education." (Educ. C., Sec. 174.)

"The Department of Education shall be conducted under the control of an executive officer known as the Director of Education." (Educ. C., Sec. 173.)

"The Superintendent * * * shall:

(a) Superintend the schools of this State.
(b) Prepare * * * forms and books * * *.
(c) Visit * * * orphan asylums * * *.
(d) Visit the schools in the different countries * * *.
(e) Visit and inspect each state college * * *.
(f) Authenticate * * * all drafts or orders drawn by him * * *." (Educ. C., Sec. 148.)

B. Superintendent of Public Instruction, Associates and Deputies

"The State Board of Education, on nomination of the Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three associate superintendents of public instruction who shall be exempt from state civil service and whose terms of office shall be four years."

"This section shall not be construed as prohibiting the appointment, in accordance with law, or additional associate superintendents of public instruction subject to state civil service." (Const., Art. IX, Sec. 2.1.)

"The Superintendent * * * may appoint one Deputy Superintendent * * *, and one Assistant Superintendent * * *." (Educ. C., Sec. 143.)

"The annual salary of the Deputy Superintendent of Public Instruction appointed * * * under Section 143 shall be * * * ($9,000)." (Educ. C., Sec. 144.)

"The duties of the Deputy Superintendent of Public Instruction appointed * * * under Section 2.1 of Article IX of the Constitution * * * shall be as are assigned to them by the Superintendent * * *." (Educ. C., Sec. 144.1.)

"The annual salaries of the Deputy Superintendent * * * and of the associate superintendents * * * appointed * * * under Section 2.1 of Article IX of the Constitution * * * shall be * * * ($9,000)." (Educ. C., Sec. 144.2.)

C. State Librarian

"There is in the Department of Education the Division of Libraries." (Educ. C., Sec. 22001.)

"The division shall be in charge of a chief who shall be a technically trained librarian and shall be known as the "State Librarian." (Educ. C., Sec. 22002.)

"The State Librarian shall be appointed by and hold office at the pleasure of the Governor. He shall receive a salary of * * * ($9,500) per annum * * *." (Educ. C., Sec. 22003, Stats. 1949:1005:1850.)

"The State Librarian shall administer the State Library in accordance with law and such regulations as may be adopted by the State Board of Education * * *." (Educ. C., Sec. 22004.)

D. Field Worker, California School for the Blind

"There is in Berkeley, Alameda County, the State School for the Blind * * *." (Educ. C., Sec. 20901.)

"The State Department of Education * * * shall

(b) * * * Appoint the principal and other officers and employees." (Educ. C., Sec. 20904.)

"There is hereby created at the California School for the Blind the position of field worker to be appointed by the principal * * * with the approval of the Superintendent of Public Instruction * * *. The field worker shall be a member of the teaching staff * * * and shall receive an annual salary of not less than * * * ($3,000), * * *.

"The field worker shall visit graduates and former pupils * * * in their homes to advise them regarding the extension and continuance of their education, to assist them in securing remunerative employment, to improve their economic condition in all possible ways, and to provide them with preparatory instruction found necessary for a selected occupation * * *." (Educ. C., Sec. 20924.)

X. Employment, Department of

A. Unemployment Appeals Board

"The California Employment Stabilization Commission hereby shall consist of five members, who shall be the three members of the appeals board and the chief of the Division of Public Employment Offices and Benefit Payments and the Chief of the Division of Accounts and Tax Collections." (Sec. 83, D. A. 8780d, Stats. 1943:1093:3032.)

"The Department of Employment is hereby created * * *, and the provisions of this act shall be administered by an executive officer known as the Director of Employment. The director shall be appointed by the Governor * * * from the membership of the commission * * *." (Sec. 75, D. A. 8780d, Stats. 1947:1166:2645.)

"The California Unemployment Insurance Appeals Board, to consist of three members to be appointed by the Governor, subject to the approval of the Senate, is hereby created in the Department of Employment. Each member * * * shall devote his full time * * * and shall receive a salary of * * * ($12,000) per year." (Sec. 77, D. A. 8780d, Stats. 1949:1006:1852.)

B. Division of Accounts and Tax Collections and Division of Public Employment Offices and Benefit Payments

"The work and functions of the department shall be segregated * * * according to their nature into divisions. One of such divisions shall be designated Division of Public Employment Offices and Benefit Payments, and one * * * the Division of Accounts and Tax Collections. Each * * * shall be under a chief who shall be appointed by the Governor, subject to the approval of the Senate, and who shall serve at the pleasure of the Governor. The chief of each of these two divisions shall devote his full time * * * as such chief * * * and shall receive a salary of * * * $12,000 per year * * *." (Sec. 76, D. A. 8780d, Stats. 1949: 1006:1852.)

"* * * The commission * * * (b) Shall establish, maintain and operate * * * public employment offices * * *." (Sec. 92, D. A. 8780d, Stats. 1947:1242:2746.)

XI. Equalization, Board of

A. Members

"A State Board of Equalization, consisting of one member from each congressional district in this State, as the same existed in 1879, shall be elected by the qualified electors of their respective districts, at the general election to be held in the year 1886, and at each gubernatorial election thereafter, whose term of office shall be for four years; whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purposes of taxation. The Controller of State shall be ex officio a member of the board.

* * * * * * *

The Legislature shall have power to redistrict the State into four districts as nearly equal in population as practical, and to provide for the elections of members of said Board of Equalization." (Const., Art. XIII, Sec. 9.)

"The State is hereby divided into four equalization districts designated and constituted as follows:* * *." (Pol. C., Sec. 125.)

"No person shall be a member of the State Board of Equalization who has not been an inhabitant of the district for which he is chosen one year next before his election * * *." (Pol. C., Sec. 3703.)

"The annual salary of each member of the State Board of Equalization, * * * is * * * ($12,000). Each * * * shall devote his entire time to the services * * *."

B Duties of Members

"Each member of the State Board of Equalization elected by the voters of a district shall investigate the administration, enforcement, and operation within the district from which he is elected of all laws, the administration and enforcement of which is vested in said board * * *." (Pol. C., Sec. 3694.)

"The powers and duties of the State Board of Equalization are as follows:

1. To prescribe rules for its own government * * *.
2. To prescribe rules * * *, to govern local boards of equalization * * *.
3. To prescribe and enforce the use of all forms for the assessment of property * * *.
4. To prepare and issue instructions to assessors designed to promote uniformity * * *.
5. To summon assessors to meet with the board * * * at least once a year * * *."

(Pol. C., Sec. 3692, Stats. 1949:1580:2826.)

XII. Finance

A. Director of

"There is in the State Government a Department of Finance." (Gov. C., Sec 13000.)

"The department is under the control of an executive officer known as the Director of Finance." (Gov. C., Sec. 13001.)

"The director is appointed by and holds office at the pleasure of the Governor. The annual salary of the director is * * * ($15,000)." (Gov. C., Sec. 13002.)

B Duties of Director

"The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department, * * *." (Gov. C., Sec 13004)

"The department has general powers of supervision over all matters concerning the financial and business policies of the State * * *." (Gov. C., Sec. 13070.)

XIII. Fire Marshal, Office of

A. Fire Marshal

"There is in the State government the office of State Fire Marshal." (H. & S. C., Sec. 13100.)

"The functions of the office shall be to foster, promote and develop ways and means of protecting life and property against fire and panic." (H. & S. C., Sec. 13100.1.)

"The State Fire Marshal shall be appointed by the Governor with the advice and consent of the Senate and shall hold office at the pleasure of the Governor * * *. He shall be paid a salary of * * * ($10,000) per annum." (H. & S. C., Sec. 13101.)

"The State Fire Marshal shall aid in the enforcement of all laws and ordinances and any rules and reguations adopted under the provisions of this chapter relating to fires or to fire prevention and protection * * *." (H. & S. C., Sec. 13104.)

XIV. Franchise Tax Commissioner

(NOTE: This office expires on January 1, 1950, so information included concerning succeeding board and executive officer.)

"Sec. 1. There is hereby established in the State Government a Franchise Tax Board consisting of the State Controller, the Director of Finance and the chairman of the State Board of Equalization. The board shall succeed to and is hereby vested with, all of the duties, powers, purposes, responsibilities, and jurisdiction of the Franchise Tax Commissioner, which office is hereby abolished; provided, however, that the statutes and laws under which such office existed and all laws prescribing the duties, powers, purposes, responsibilities and jurisdiction of such office, together with all lawful rules and regulations established thereunder, are hereby expressly continued in force * * *.

"Sec. 2. The Franchise Tax Board, with the consent and approval of two-thirds of the Senate may appoint an executive officer who shall be a civil executive officer and shall perform such duties as are delegated to him by the board. Said civil executive officer may be removed by the board only with the consent of two-thirds of the Senate. The Legislature hereby requests the board to designate said executive officer as the person holding the position confidential to it, within the meaning of subdivision 5 of Section 4, Article XXIV of the Constitution. The annual salary of the executive officer shall be * * * ($12,000) * * *.

"Sec. 4. The provisions of this act shall become effective January 1, 1950." (Stats. 1949:1188:2108.)

"* * * He (the commissioner) shall have the power, and it shall be his duty, to administer this act, and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions; * * *." (Sec 22, D. A. 8486, Stats. 1929:13:19 Bank and Corporation Franchise Tax Act.)

XV. Harbors, Humboldt Bay

A. Board of Commissioners

"The Board of Harbor Commissioners for Humboldt Bay hereby created consists of three members who shall be appointed by the Governor, by and with the consent and advice of the Senate, * * * The term of office of each member is four years * * * In making his appointments the Governor shall designate one of the appointees to act as ex-officio survey of the port and secretary of the board. The annual salary of the member of the board who is secretary * * * is * * * ($1,400). The annual salary of each of the other member is * * * ($400).

"The board is hereby vested with the power, duty and responsibility of controlling the Port of Eureka. The port shall be in charge of the survey of the port." (H. & N. C., Sec. 3800.)

"It is the duty of the surveyor to collect * * * all data necessary to enable the department (board) to compile the reports mentioned in this part * * *" (H. & N. C., Sec. 3802.)

"* * * The department (board) shall also keep a full and complete record of all * * * vessels entering and arriving or clearing and departing * * * Humboldt Bay * * *" (H. & N. C. Sec. 3803.)

XVI. Harbors, State Board of Commissioners

A. Members of Board

"There is in the State Government a Board of State Harbor Commissioners for San Francisco Harbor, consisting of three commissioners * * *. All vacancies * * * shall be filled by appointment by the Governor * * * subject to the consent of the Senate at its next regular session. (H. & N. C. Sec. 1700.)

"* * * Each member thereafter appointed shall serve for a term of four years and until his successor is appointed and qualified." (H. & N. C., Sec. 1700.5.)

"The annual salary of each member of the board is * * * ($1,200) * * *." (H. & N. C., Sec. 1705.)

"The Board shall generally supervise the operation of facilities and properties of the State * * * under its possession and control, particularly the dock system, and the State Belt Railway." (H. & N. C., Sec. 1732.5.)

B. President of State Board of Harbor Commissioners

"The board shall organize by electing one of its members president. He shall preside at its meetings * * *" (H. & N. C. Sec. 1730.)

C. Secretary of State Board of Harbor Commissioners

"The board may designate one commissioner as member secretary and such member secretary shall receive a salary of * * * ($200) per month * * * in addition to compensation provided for the members of the board." (H. & N. C. Sec. 1705.5, Stats. 1949:1287:2272.)

D. Port Manager, Board of State Harbor Commissioners

"The board shall appoint the following officers: A port manager * * *."(H. & N. C. Sec. 1732.)

"The annual salary of the port manager is * * * ($12,000) * * *." (H. & N. C. Sec. 1732.6.)

"The port manager is the executive officer of the board. Subject to the direction and control of the board, and on its behalf, he shall:

(a) Supervise the conduct of officers and employees
(b) Execute and enforce the laws governing the operation and business of the harbor, * * *.
(c) Perform such duties * * * as are prescribed by the board
(d) * * * Appoint * * * assistants * * *.
(e) Manage the dock system, the State Belt Railway * * *." (H. & N. C., Sec. 1732.7.)

XVII. Harbors: Pilot Commissioners for Bays of San Francisco, San Pablo and Suisun

A. Members of Board

"There is in the State Government a Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, consisting of three members. Upon the expiration of the term of a member, or the occurrence of a vacancy in the board, the Governor, by and with the advice of the Senate, shall appoint a successor, or fill the vacancy." (H. & N. C., Sec. 1150.)

"Each member of the board * * * shall hold office during the pleasure of the power appointing him, not to exceed four years from the date of his commission." (H & N. C., Sec 1151)

"The members of the board shall receive as compensation * * * such amount as may * * * be determined by the board not exceeding * * * ($200) each per month nor in the aggregate for all the members * * * during any one month more than the amount of moneys received during that month pursuant to * * * Section 1167 * * *." (H. & N. C , Sec. 1152.)

"Every pilot licensed pursuant to * * * this chapter * * * shall pay to the board 5 percent of all bar pilotage fees * * *." (H. & N. C., Sec. 1167.)

B. Secretary to the Board

"The board may appoint a secretary, * * *. The secretary shall receive such compensation as may be fixed by the board with the approval of the Director of Finance. The monthly compensation shall not exceed * * * ($350)" (H. & N. C., Sec. 1156, Stats. 1949:1235:2168.)

"The secretary shall keep a journal of all the board's proceedings and acts, and shall keep a register of all pilots appointed, their residence and date of license. He shall, under order of the board, issue and countersign licenses, * * *." (H. & N. C., Sec. 1157.)

XVIII. Highway Patrol

A. Commissioner of

"There is in the State Government a Department of the California Highway Patrol." (V. C., Sec. 139.)

"The department succeeds to and is vested with the duties, powers, purposes, responsibilities, and jurisdiction of the Division of Enforcement of the Department of Motor Vehicles * * *." (V. C , Sec. 139.01.)

"The department is under the supervision and control of a civil executive officer, known as the Commissioner of the California Highway Patrol." (V. C., 139.06.)

"The commissioner shall be appointed by the Governor with the advice and consent of the Senate to serve at the pleasure of the Governor * * *." (V. C., Sec. 139.07.)

"The annual salary of the commissioner shall be * * * ($12,000)." (V. C., Sec. 139.08.)

"The commissioner shall perform all duties and exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department." (V. C., Sec. 193.11.)

"The commissioner shall administer and enforce Divisions 9 to 11 inclusive, of this Code and shall enforce all other laws regulating the operation of vehicles and use of the highways." (V. C., Sec. 139.24.)

XIX. Horse Racing Board

A. Secretary

"The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results thereof. The provisions of an act entitled 'An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions,' are hereby confirmed, ratified, and declared to be fully and completely effective; provided, that said act may at any time be amended or repealed by the Legislature." (Const., Art. 4, Sec. 25a.)

"The jurisdiction and supervision over meetings in this State where horse races * * * are held or conducted * * * is vested in the California Horse Racing Board." (B. & P. C., Sec. 19420.)

"The board shall appoint a secretary who shall receive a salary of * * * ($10,000) per annum * * *." (B. & P. C., Sec. 19433; Stats. 1949:1576:2825)

"The secretary shall keep a full and true record of all proceedings of the board, preserve * * * all books, documents and papers of the board, prepare for service such notices * * * as may be required * * * by the board, and perform such other duties as the board may prescribe." (B. & P. C., Sec. 19434.)

XX. Industrial Relations, Department of

A. Generally

"There is in the State Government the Department of Industrial Relations." (Lab. C., Sec. 50.)

"The work of the department shall be divided into at least eight divisions known as the Division of Industrial Accidents, the Division of Industrial Safety, the Division of Housing, the Division of Labor Law Enforcement, the Division of Industrial Welfare, the Division of Labor

Statistics and Research, the Division of Apprenticeship Standards, and the State Compensation Insurance Fund." (Lab. C., Sec. 56.)

B. Director of Industrial Relations

"The department shall be conducted under the control of an executive officer known as Director of Industrial Relations. The Director * * * shall be appointed by the Governor with the advice and consent of the Senate and hold office at the pleasure of the Governor and shall receive a salary of * * * ($10,000) per annum." (Lab. C., Sec. 51.)

"The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department, * * *." (Lab. C., Sec. 54.)

C. Industrial Accident Commission

"The Industrial Accident Commission, consisting of seven members, shall exercise all judicial powers, including those vested in it under Sections 4903, 5301, and 5307 of this code. In all other respects the Division of Industrial Accidents is under the control of the chairman of the commission and except as to those duties, powers, jurisdiction, responsibilities and purposes as are specifically vested in the commission, the chairman shall exercise the powers of the head of a department * * *." (Lab. C., Sec. 111.)

"The members of the commission shall be appointed by the Governor with the advice and consent of the Senate. The term of office of such members shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of the members of the commission in office at the time this amendment takes effect shall expire on January 15th of that year which for the particular member has heretofore been determined. The term of one of the four members added to the commission by this amendment shall expire on January 15, 1946, the term of one on January 15, 1947, the term of one on January 15, 1948, and the term of one on January 15, 1949. Vacancies shall be filled by appointment for the unexpired terms. Each member shall receive a salary of * * * ($10,000) per annum." (Lab. C., Sec. 112.)

"The Governor shall designate the chairman of the commission from the membership of the commission. The person so designated shall hold the office of chairman at the pleasure of the Governor. The chairman shall be the administrative officer of the commission." (Lab. C., Sec. 113.)

D. Chief, Division of Housing

"* * * each division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the Governor * * *." (Lab. C., Sec. 57.)

"The salary of the Chief of the Division of Housing shall not be less than * * * ($7,200) per annum." (Lab. C., Sec. 77.5.)

E. Chief, Division of Industrial Safety

"* * * each division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the Governor * * *." (Lab. C., Sec. 57.)

"The salary of the Chief of the Division of Industrial Safety shall be not less than * * * ($7,200) per annum." (Lab. C., Sec. 145.)

F. Labor Commissioner

" 'Labor Commissioner' means the chief of the Division of Labor Law Enforcement." (Lab. C., Sec. 21.)

"The salary of the Labor Commissioner shall not be less than * * * $7,200) per annum." (Lab. C., Sec. 80.)

"The division may enforce the provisions of this code and all labor laws of this state * * * which is not vested in any other officer * * *." (Lab. C., Sec. 95.)

G. Chief, Division of Industrial Welfare

"* * * each division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the Governor * * *." (Lab. C., Sec. 57.)

"The salary of the chief of the Division of Industrial Welfare shall be not less than * * * ($7,200) per annum." (Lab. C., Sec. 70.5.)

"The provisions of Chapter 1 of Part 4 of Division II of this Code shall be administered and enforced by the department through the Division of Industrial Welfare." (Lab. C., Sec. 61.)

XXI. Insurance, Department of

A. Insurance Commssioner

"The Governmental agency heretofore known as the Division of Insurance of the Department of Investment is hereby designated the Department of Insurance and is not a part of the Department of Investment. The Department of Insurance remains under the control of the Insurance Commissioner * * *." (Ins. C., Sec. 12906.)

"The Commissioner shall be appointed by the Governor, with the consent of the Senate and shall hold office for the term of four years." (Ins. C., Sec. 12900.)

"The annual salary of the Commissioner is * * * ($12,500)." (Ins. C., Sec. 12902.)

"The Commissioner shall perform all duties imposed upon him by the provisions of this code and other laws regulating the business of insurance in this State, and shall enforce the execution of such provisions and laws." (Ins. C., Sec. 12921.)

XXII. Justice, Department of

A. Deputy Director

"There is in the State Government a Department of Justice * * *." (Gov. C., Sec. 15000.)

"There is hereby created the office of deputy director of the department. The deputy director shall be appointed and his compensation shall be fixed by the Attorney General at not to exceed * * * ($10,000) per year * * *." (Gov. C., Sec. 15003.)

XXIII. Legislative Counsel Bureau

A. Legislative Counsel

"There is in the State Government the Legislative Counsel Bureau. The bureau is in charge of a chief, * * * who shall be known as the Legislative Counsel of California." (Gov. C., Sec. 10200.)

"The Legislative Counsel shall be selected by concurrent resolution at the beginning of each Regular Session and shall serve until his successor is selected and qualified." (Gov. C., Sec. 10201.)

"The annual salary of the Legislative Counsel is * * * ($15,000) * * *." (Gov. C., Sec. 10204.)

"The Legislative Counsel shall be in attendance upon all Sessions of the Legislature." (Gov. C., Sec. 10230.)

"The Legislative Counsel shall prepare and assist in the preparation, amendment and consideration of legislative measures when requested * * *." (Gov. C., Sec. 10231.)

"Upon request, the Legislative Counsel shall advise any State Agency as to the preparation of measures to be submitted to the Legislature." (Gov. C., Sec. 10232.)

"* * * The Legislative Counsel shall aid and assist any member of the Legislature as to bills, resolutions and measures, drafting them into proper form, and furnishing to the member the fullest information upon all matters in the scope of the bureau." (Gov. C., Sec. 10233.)

"The Legislative Counsel shall give such consideration to and service concerning any measure before the Legislature as circumstances will permit, and which is in any way requested by the Governor, the Senate or Assembly, or any committee of the Legislature having the measure before it for consideration." (Gov. C., Sec. 10234.)

"After final adjournment the Legislative Counsel shall give such consideration to and service concerning any bill in the Governor's hands for rejection, approval, or any action, as the circumstances will permit and the Governor requests." (Gov. C., Sec. 10235.)

"Upon request, the Legislative Counsel shall advise as to its work with any Legislative committee appointed to carry on investigations." (Gov. C., Sec. 10236.)

"The Legislative Counsel shall prepare or assist in the preparation or amendment of legislative measures at the written suggestion of any judge of the Supreme Court, the District Courts of Appeal, or of the superior courts of the State." (Gov. C., Sec. 10237.)

XXIV. Department of Mental Hygiene

A. Director of Mental Hygiene

"There is in the State Government a Department of Mental Hygiene." (W. &. I. C., Sec. 150.)

"The department is under the control of an executive officer known as the Director of Mental Hygiene." (W. & I. C., Sec. 151.)

"The director shall be appointed by and hold office at the pleasure of the Governor. The director shall receive a salary of * * * ($15,000) per annum * * *." (W. & I. C., Sec. 152, Stats. 1949:1005:1850.)

XXV. Motor Vehicles, Department of

A. Director of Motor Vehicles

"A department of the government of the State of California to be known as the Department of Motor Vehicles is hereby created." (V. C., Sec. 101.)

"The department shall be under the control of a civil executive officer to be known as the Director of Motor Vehicles, which office is hereby created. The director shall be appointed by and hold office at the pleasure of the Governor. He shall receive a salary of * * * ($12,000) per year * * *." (V. C., Sec. 105, Stats. 1949:1005:1850.)

"(a) The director shall administer and enforce the provisions of this code relating to the Department of Motor Vehicles * * *." (V. C., Sec. 128.)

B. Registrar of Vehicles

"* * * The work of the department is hereby divided into at least two divisions to be known respectively as the Division of Registration and the Division of Drivers Licenses * * *." (V. C., Sec. 108)

"The Division of Registration shall be under the control of a civil executive officer to be known as the Registrar of Vehicles, which office is hereby created. The Registrar of Vehicles shall be appointed by the Director subject to the approval of the Governor, * * * and shall receive an annual salary of five thousand dollars * * *." (V. C., Sec. 109.)

XXVI. Natural Resources, Department of

A. Director of Natural Resources

"There is in the State Government a Department of Natural Resources. The department shall be conducted under the control of an executive officer known as Director of Natural Resources. The director shall be appointed by and hold office at the pleasure of the Governor and shall receive a salary of * * * ($12,000) a year." (P. R. C., Sec. 501, Stats. 1949:1005:1850.)

XXVII. Personnel Board, State

A Members

"* * * There shall be a State Personnel Board of five members appointed by the Governor with the advice and consent of the Senate * * * The first two members appointed by the Governor shall classify themselves by lot so that one shall go out of office at the end of eight years and one at the end of 10 years from and after January 15, 1935. Each subsequent appointee shall hold office for 10 years from the expiration of the term of his predecessor and until his successor is appointed and qualified, except that an appointment to a vacancy occurring before the expiration of a term shall be but for the remainder of that term * * *." (Const., Art. XXIV, Sec. 2)

"The annual salary of each member of the board is * * * ($3,600) and is compensation for such time as is required of him to perform his duties * * *." (Gov. C., Sec. 18650.)

B. Duties of Board

"(a) Said board shall administer and enforce, and is vested with all of the powers, duties, purposes, functions, and jurisdiction which are now or hereafter may be vested in any other state officer or agency under. Chapter 590 of the California Statutes of 1913 as amended or any and all other laws relating to the state civil service as said laws may now exist

or may hereafter be enacted, amended or repealed by the Legislature." (Const., Art. XXIV, Sec. 3.)

"The board shall devise plans for and cooperate with appointing powers and other supervising officials in the conduct of employee training programs * * *." (Gov. C., Sec. 18700, Stats. 1949:1141:2040.)

"The board shall prescribe, amend, and repeal rules in accordance with law for the administration and enforcement of this part * * *." (Gov. C., Sec. 18701.)

"The board shall create and adjust classes of positions in the state civil service * * *." (Gov. C., Sec. 18702.)

"The board shall provide for dismissals, demotions, suspensions, and other punitive action for or in the state civil service * * *." (Gov. C., Sec. 18703.)

"The board shall establish and maintain in suitable form an official roster of all persons holding positions under this part * * *." (Gov. C., Sec. 18704.)

XXVIII. Planning and Research

A. Director of

"There is hereby created the Office of the Director of Planning and Research * * *." (Gov. C., Sec. 15534.)

"The provisions of this part shall remain in effect until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature and thereafter shall have no force nor effect." (Gov. C., Sec. 15563.)

XXIX. Professional and Vocational Standards, Department of

A. Generally

"There is in the State Government a Department of Professional and Vocational Standards." (B. & P. C., Sec. 100)

"The department is comprised of: * * *

(e) The Board of Examiners in Veterinary Medicine * * *.
(h) The State Board of Barber Examiners * * *.
(j) The Contractors State License Board * * *.
(n) The Yacht and Ship Brokers Commission * * *.
(t) The State Athletic Commission * * *." (B. & P. C., Sec. 101.)

B. Director of Professional and Vocational Standards

"The department is under the control of a civil executive officer who is known as the Director of Professional and Vocational Standards." (B. & P. C., Sec. 150.)

"The director is appointed by the Governor and holds office at the Governor's pleasure. He shall receive a salary of * * * ($10,000) per annum * * *." (B. & P. C., Sec. 151.)

C. Board of Examiners in Veterinary Medicine, Secretary

"The board shall elect a president, vice president, and a secretary * * * from its membership * * *." (B. & P. C., Sec. 4804.)

"* * * The secretary * * * shall receive an annual salary not to exceed * * * ($1,200) in an amount to be fixed by the board with the approval of the Director of Finance * * *." (B. & P. C., Sec. 4806.)

D. State Board of Barber Examiners, Members

"There is in the Department of Professional and Vocational Standards a State Board of Barber Examiners, which consists of three members appointed by the Governor." (B. & P. C., Sec. 6500.)

"Members of the board shall be appointed for a term of four years and they shall hold office until the appointment and qualification of their successors * * *." (B. & P. C., Sec. 6502.)

"Each member of the board shall receive a compensation of * * * ($4,800) per annum * * *." (B. & P. C., Sec. 6512.)

"The board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration * * *." (B. & P. C., Sec. 6510.)

E. Registrar of Contractors

"There is in the Department of Professional and Vocational Standards a Contractors State License Board, which consists of seven members appointed by the Governor." (B. & P. C., Sec. 7000.)

"The board by and with the approval of the director shall appoint a registrar of contractors, and fix his compensation at a rate of * * * ($8,000) per year.

"The registrar shall be the executive secretary of the board and shall carry out all of the administrative duties as provided in this chapter and as delegated to him by the board * * *." (B. & P. C., Sec. 7011.)

F. Yacht and Ship Brokers Commission

"There is in the Department of Professional and Vocational Standards a Yacht and Ship Brokers Commission.

"For the purposes of administering this chapter, and in accordance with the State Civil Service Act, the director * * * shall, with the approval of the Governor appoint a Yacht and Ship Brokers Commissioner." (B. & P. C., Sec. 8915.)

"No individual shall be appointed commissioner who shall not have been for five years a yacht and ship broker actively engaged as such in California. The director shall fix the salary of the commissioner in accordance with the provisions of the State Civil Service Law." (B. & P. C., Sec. 8916, Stats. 1949:1470:2558.

G. State Athletic Commission, Secretary

"There shall be in the Department of Professional and Vocational Standards the State Athletic Commission, which consists of five members appointed by the Governor." (B. & P. C., Sec. 18620.)

"The commission shall appoint a secretary, who shall also be an administrative assistant, who shall attend all meetings of the commission, keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission, coordinate and supervise the activities and duties of whatever other offices the commission may establish, make such decisions and perform such other duties as the commission may prescribe and otherwise act for and in behalf of the commission in a manner not inconsistent with the terms and intent of this chapter." (B. & P. C., Sec. 18626.)

"The secretary to the State Athletic Commission shall receive a salary of * * * ($10,000) per annum." (B. & P. C., Sec. 18626.5, Stats. 1949:1577:2825.)

XXX. Public Health, Department of

A. Director of Public Health

"There is in the State Government a State Department of Public Health." (H. & S. C., Sec. 100.)

"The department shall consist of the State Board of Public Health, the State Director of Public Health * * *." (H. & S. C., Sec. 101.)

"The director is the executive officer of the department. He shall administer the laws and regulations of the board pertaining to public health and shall vigilantly observe sanitary and public health conditions throughout the State and shall take all necessary precautions to protect it in its sanitary and public health relations with other states and countries. He shall perform such other duties as may be prescribed by law, and such other administrative and executive duties as have by other provisions of law been imposed upon the board." (H. & S. C., Sec. 106.)

"The director shall be appointed by the Governor for a term of four years and shall hold office until the appointment and qualification of his successor * * *. The director shall receive a salary of * * * ($13,000) per annum * * *." (H. & S. C., Sec. 107.5, Stats. 1949:1005:1850.)

XXXI. Public Utilities Commission

A. Members

"The Railroad Commission is continued in existence as the Public Utilities Commission, which shall consist of five members. The commission shall be appointed by the Governor from the State at large; provided, that the Legislature, in its discretion, may divide the State into districts for the purpose of such appointments, said districts to be as nearly equal in population as practicable; and provided further, that the three commissioners in office at the time this section takes effect shall serve out the term for which they were elected, and that two additional commissioners shall be appointed by the Governor immediately after the adoption of this section, to hold office during the same term. Upon the expiration of said term, the term of office of each commissioner thereafter shall be six years * * * Every appointment made by the Governor to the commission shall be subject to the advice and consent of a majority of the members elected to the Senate * * * The Legislature shall fix the salaries of the commissioners, but pending such action the salaries of the commissioners, their officers and employees shall remain as now fixed by law * * *." (Const., Art. XII, Sec. 22.)

"The annual salary of each commissioner shall be * * * ($12,000) * * *." (Sec. 10, D. A. 6386, Stats. 1947:1442:3009.)

"It is hereby made the duty of the commission to see that the provisions of the Constitution and statutes of this State affecting public utilities, the enforcement of which is not specifically vested in some other officer or tribunal, are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the State therefor recovered and collected * * *." (Sec. 72, D. A. 6386, Stats. 1915:91:115.)

XXXII. Public Works, Department of

A. Director of Public Works

"There is in the State Government a Department of Public Works." (Gov. C., Sec. 14000.)

"The department is under the control of an executive officer known as Director of Public Works." (Gov. C., Sec. 14001.)

"The director is appointed by and holds office at the pleasure of the Governor. The annual salary of the director is * * * ($15,000)." (Gov. C., Sec. 14002.)

"The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department except as otherwise expressly provided by law." (Gov. C., Sec. 14004.)

B. State Highway Engineer

"There is in the department the Division of Highways." (S. & H. C., Sec. 50.)

"The Division of Highways is in charge of a chief, designated as the State Highway Engineer, who is appointed by the director." (S. & H. C., Sec. 51.)

"The State Highway Engineer shall receive a salary of ten thousand dollars per annum * * *." (S. & H. C., Sec. 52.)

XXXIII. Real Estate Division

A. Real Estate Commissioner

"There is in the Department of Investment a State Real Estate Division, the chief officer of which division is the Real Estate Commissioner." (B. & P. C., Sec. 10050.)

"* * * The Commissioner shall receive an annual salary of * * * ($10,000) * * *." (B. & P. C., Sec. 10055.)

"The Real Estate Commissioner shall be the representative of the State Real Estate Division * * * for the purpose of representation in the Governors Council." (B. & P. C., Sec. 10070.)

"The commissioner shall enforce the provisions of this part and of Chapter 1 of Part 2. He has full power to regulate and control the issuance and revocation, both temporary and permanent, of all licenses to be issued under the provisions of this part, and to perform all other acts and duties provided in this part and Chapter 1 of Part 2 and necessary for their enforcement." (B. & P. C., Sec. 10071.)

XXXIV. Social Welfare, Department of

A. Director of Social Welfare

(NOTE: At the present time Article XXV of the Constitution of California provides for the director to be elected in 1950 at a salary of $12,000 a year. This, however, has been repealed by Article XXVII, of the Constitution of California which will become effectvie five days after the official declaration of the vote by the Secretary of State, and operative upon the first day of the third month following the last day of the month in which occurs the date of the official declaration of the vote on Proposition 2 submitted to the voters November 8, 1949. Therefore the data which is submitted is the law which will be effective upon the operative date as it is thought that this will best suit your purposes.)

"There is in the State Government a Department of Social Welfare." (W. & I. C., Sec. 100.)

"The Governor may appoint with the advice and consent of the Senate an executive officer, who shall act as the secretary of the board and who shall be the Director of the Department of Social Welfare. He shall serve at the pleasure of the Governor." (W. & I. C., Sec. 105.)

"Notwithstanding any of the provisions of this code the Director of Social Welfare shall receive a salary of * * * ($10,000)." (W. & I. C., Sec. 130.)

"The director is the executive officer of the department. He shall administer the laws and regulations of the board pertaining to the administration of social welfare and shall observe and report to the Governor and to the board on the conditions of public assistance throughout the State. He shall perform such other duties as may be prescribed by law and such other administrative and executive duties as have by other provisions of the law been imposed upon the board." (W. &. I. C., Sec. 105.5.)

B. Social Welfare Board

"The Department of Social Welfare shall consist of the Social Welfare Board, the Director of the Department of Social Welfare and such divisions as are * * * necessary * * *.

"The Social Welfare Board consists of seven members. Each member of the board shall be appointed by the Governor with advice and consent of the Senate for a term of four years, * * *.

"Each member of the board shall receive the sum of * * * ($600) annually * * * as compensation * * *." (W. & I. C., Sec. 101.)

"The Social Welfare Board * * * shall advise the director in the performance of his duties and formulate general policies affecting the purposes, responsibilities and jurisdiction under this chapter. The board shall have the power and it shall be its duty to adopt, promulgate, repeal and amend rules and regulations consistent with law for the administration of welfare * * *." (W. & I. C., Sec. 103.)

XXXV. Veterans Affairs, Department of

A. Director of Veterans Affairs

"There shall be in the State Government a Department of Veterans Affairs." (M. & V. C., Sec. 63.)

"The chief administrative officer of the Department of Veterans Affairs shall be the Director of Veterans Affairs, who shall be a civil executive officer." (M. & V. C., Sec. 74.)

"The director shall be appointed by and serve at the pleasure of the Governor." (M. & V. C., Sec. 75.)

"The salary of the director shall be * * * ($10,000) a year." (M. & V. C., Sec. 76.)

"The Director of Veterans Affairs is head of the department and, as head of the department and subject to the policies adopted by the board, shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect all provisions now or hereafter vested by law in the department." (M. & V. C., Sec. 78.)

PART TWO

EX-OFFICIO POSITIONS

I. Adult Authority, Members:

Board of Corrections. (P. C., 6025, Stats. 1949:520:926.)

II. Agriculture, Director of:

Agricultural Pro Rate Advisory Commission. (Sec. 3, D. A. 143a, Stats. 1945:990:1890.)
Governor's Council. (Gov. C., 12040.)
Poultry Improvement Commission. (Ag. C., Sec. 43.)
State Water Pollution Control Board. (Water Code, Sec. 13011, Stats. 1949:1549:2782.)
Surplus War Property Advisory Board. (Stats., 1945:992: 1913.)

III. Attorney General:

California District Securities Commission. (Water Code, Sec. 20016.)
California State Disaster Council. (M. & V. C., Sec. 1510.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Commission on Qualifications—Judges. (Const. Art. VI, Sec. 26.)
Reapportionment Commission. (Const., Art. IV, Sec. 6.)
State Commission on Voting Machines. (Elec. C., Sec. 6150.)
Water Project Authority. (Water Code, Sec. 11401.)

IV. Banks, Superintendent of:

Board of Investment. (Gov. C., Sec. 15480.)
California District Securities Commission. (Water Code, Sec. 20016.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C., Sec. 12040.)

V. Building and Loan Commissioner:

Board of Investment. (Gov. C., Sec. 15480.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C , Sec. 12040.)

VI. Controller:

Board of Control. (Gov. C., Sec. 13901.)
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1949:81:256.)
Committee to Fix Interest on Registered Warrants. (Gov. C., Sec. 17220.)
Franchise Tax Board. (Stats. 1949:1188:2108)
Reapportionment Commission. (Const., Art. IV, Sec. 6.)
Retirement Investment Board. (Educ. C., Sec. 14339.)
San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)

State Board of Equalization. (Const., Art. XIII, Sec. 9.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Lands Commission. (P. R. C., Sec. 6101.)
State Park Finance Board. (Sec. 4, D. A. 6382, Stats. 1927: 765:1480.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Unemployment Relief Finance Committee. (Sec. 18, D. A. 8776, Stats. 1933:207.677.)
Veterans Finance Committee of 1943. (M. & V. C., Sec. 991.)
Water Project Authority. (Water Code, Sec. 11401.)

VII. Corporations, Commissioner of:
Board of Investment. (Gov. C., Sec. 15480.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C., Sec. 12040.)

VIII. Corrections, Director of:
Board of Corrections. (P. C. 6025, Stats. 1949:520:926.)
Correctional Industries Commission. (P. C. 5085.)
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)

IX. Equalization, Chairman of Board:
Board of Review, Correction and Equalization—Re: Oil and Gas. (P R. C. Sec. 3414.)
Franchise Tax Board. (Stats. 1949:1188:2108.)

X. Finance, Director of:
Board of Control. (Gov. C., Sec. 13901.)
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1948·81:256.)
Board of Review, Correction and Equalization—Re: Oil and Gas. (P. R. C. Sec 3414.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Communications Advisory Board. (Sec. 2, D. A. 6220, Stats. 1947:1071:2472.)
Franchise Tax Board. (Stats 1949:1188:2108.)
Governor's Council. (Gov. C., Sec. 12040.)
Los Angeles World Trade Center Authority. (Stats. 1949: 999:1842.)
Reclamation Board. (Water Code, Sec. 8553.)
Retirement Investment Board. (Educ. C., Sec. 14339.)
San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)
San Francisco World Trade Center Authority. (Stats. 1949: 999:1842.)
State Allocations Board. (Stats. 1947:90:567.)

State Employees' Retirement Board. (Gov. C., Sec. 20100.)
State Forest Purchase Committee. (P. R. C., Sec. 4424.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Lands Commission. (P. R. C., Sec. 6101.)
State Park Finance Board. (Sec. 4, D. A. 6382, Stats. 1927:765:1480.)
State Public Works Board. (Sec. 1, D. A. 6446, Stats. 1st Ex. Sess. 1946:145:187.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)
Unemployment Relief Finance Committee. (Sec. 18, D. A. 8776, Stats. 1933:207:677.)
Water Project Authority. (Water Code, Sec. 11401.)
Wildlife Conservation Board. (Sec. 2, D. A. 9250, Stats. 1947:1325:2881.)
Veterans Finance Committee of 1943. (M. & V. C., Sec. 991.)

XI. Fire Marshal:

Governor's Council. (Gov. C , Sec. 12040.)
State Fire Advisory Board. (H. & S. C., Sec. 13140.7.)

XII. Governor:

Board of Regents of University of California. (Const., Art. IX, Sec. 9.)
California Commission on Interstate Cooperation. (Gov. C., Sec. 8004.)
California State Disaster Council. M. & V. C., Sec. 1510.)
Commission on Voting Machines. (Elec. C., Sec. 6150.)
Committee to Fix Interest on Registered Warrants. (Gov. C., Sec. 17220.)
San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)
State Board of Harbor Commissioners, San Diego. (H. & N. C., Sec. 3501.)
State Board of Harbor Commissioners, San Francisco. (H. & N. C., Sec. 1702.)
State Forest Purchase Committee. (P. R. C., Sec. 4424.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Park Finance Board. (Sec. 4, D. A. 6382, Stats. 1927: 765:1480.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)
Unemployment Relief Finance Committee. (Sec. 18, D. A. 8776, Stats. 1933:207:677.)
Veterans Finance Committee of 1943. (M. & V. C., Sec. 991.)

XIII. Harbor Commissioners, President of State Board:

San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)

San Francisco World Trade Center Authority. (Stats. 1949: 999:1842.)

XIV. Industrial Relations, Director of:

Apprenticeship Council. (Lab. C., Sec. 3070.)

Governor's Council. (Gov. C., Sec. 12040.)

Industrial Safety Board. (Lab. C., Sec. 140.)

State Compensation Insurance Fund, Board of Directors. (Ins. C., Sec. 11770.)

XV. Insurance Commissioner:

Board of Investment. (Gov. C., Sec. 15480.)

Director of Investment. (Gov. C., Sec. 15483.)

Governor's Council. Note: This position held while Director of Investment. (Gov. C., Sec. 12040.)

XVI. Legislative Council:

Commission on Uniform State Laws. (Gov. C., Sec. 10401.)

Secretary to the California Code Commission. (Gov. C., Sec. 10304.)

XVII. Librarian, State:

Board of Library Examiners. (Educ. C., Sec. 22161.)

XVIII. Lieutenant Governor:

Board of Regents of the University of California. (Const., Art. IX., Sec. 9.)

California State Disaster Council. (M. & V. C., Sec. 1510.)

Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)

Reapportionment Commission. (Const., Art. IV, Sec. 6.)

State Lands Commission. (P. R. C., Sec. 6101.)

Toll Bridge Authority. (S. & H. C., Sec. 30050.)

XIX. Mental Hygiene, Director of:

Convalescent Colony: Board. (H. & S. C., Sec. 24380.)

Governor's Council. (Gov. C., Sec. 12040.)

Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)

XX. Motor Vehicles, Director of:

Governor's Council. (Gov. C., Sec. 12040.)

XXI. Natural Resources, Director of:

Board of Review, Correction and Equalization. Re: Oil and Gas. (P. R. C., Sec. 3414.)

Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)

Governor's Council. (Gov. C., Sec. 12040.)

State Forest Purchase Committee. (P. R. C., Sec. 4424.)
State Water Pollution Control Board. (Water Code Sec. 13011, Stats. 1949 :1549 :2782.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)

XXII. Professional and Vocational Standards, Director of:
Governor's Council. (Gov. C., Sec. 12040.)

XXIII. Public Health, Director of:
Advisory Council to Board of Nurse Examiners. (B. & P. C., Sec. 2718.)
Advisory Hospital Council. (H. & S. C., Sec. 431.2.)
Convalescent Colony Board. (H. & S. C., Sec. 24380.)
Governor's Council. (Gov. C., Sec. 12040.)
State Board of Public Health. (H. & S. C., Sec. 102.)
State Water Pollution Control Board. (Water Code, Sec. 13011, Stats. 1949 :1549 :2782.)

XXIV. Public Instruction, Superintendent of:
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1949 :81 :256.)
Board of Regents of the University of California. (Const. Art. IX, Sec. 9.)
Board of Governors, State Nautical School (Educ. C., Sec. 21101.)
Commission on Credentials. (Educ. C., Sec. 12030.)
Convalescent Colony Board. (H. & S. C., Sec. 24380.)
Director of Education. (Educ. C., Sec. 174.)
Governor's Council. (Gov. C., Sec. 12040.)
Reapportionment Commission (Const. Art. IV, Sec. 6.)
Retirement Investment Board. (Educ. C., Sec. 14339.)
State Allocations Board. (Stats. 1947 :90 :567.)
State Curriculum Commission. (Educ. C., Sec. 10001.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949 :922 :1687.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)

XXV. Public Works, Director of:
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1949 :81 :256.)
California Highway Commission (S. & H. C., Sec. 70.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Governor's Council. (Gov. C., Sec. 12040.)
Los Angeles World Trade Center Authority. (Stats. 1949 : 999 :1842.)
San Francisco World Trade Center Authority. (Stats. 1949 : 999 :1842.)
State Allocations Board. (Stats. 1947 :90 :567.)
State Highway Finance Board. (Const. Art. XVI, Sec. 3.)

State Public Works Board. Sec. 1, D. A. 6446, Stats. 1st Ex. Sess. 1946:145:187.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)
Water Project Authority. (Water C., Sec. 11401.)

XXVI. Real Estate Commssioner:
Board of Investment. (Gov. C. Sec. 15480.)
Director of Investment. (Gov. C. Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C. Sec. 12040.)
State Public Works Board. (Sec. 1, D.A. 6446, Stats. 1st Ex. Sess. 1946:145:187.)

XXVII. Secretary of State:
Reapportionment Commission (Const., Art. IV, Sec. 6.)
State Commission on Voting Machines. (Elec. C., Sec. 6150.)

XXVIII. Social Welfare, Director of:
Governor's Council. (Gov. C., Sec. 12040.)

XXIX. Treasurer, State:
Committee to Fix Interest on Registered Warrants. (Gov. C., Sec. 17220.)
San Francisco Harbor Bond Finance Board. (Stats. 1929:835:1775.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Park Finance Board. (Sec. 4, D.A. 6382, Stats. 1927:765:1480.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Treasurer, Unemployment Fund. (Sec. 20, D.A. 8780d, Stats. 1945:17:326.)
Unemployment Relief Finance Committee. (Sec. 18, D.A. 8776, Stats. 1933:207:677.)
Veterans Finance Committee of 1943. (M. & V. C. Sec. 991.)
Water Project Authority. (Water Code Sec. 11401.)

XXX. Veterans Affairs, Director of:
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)
Veterans Finance Committee of 1943. (M. & V. C. Sec. 991.)

XXXI. Youth Authority:
A. Director:
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)
B. Members:
Board of Corrections. (P.C. 6025, Stats. 1949:520:926.)

Appendix B

EXHIBIT I

ASSEMBLY INTERIM COMMITTEE ON EQUALIZATION OF SALARIES, QUALIFICATIONS AND JOB CLASSIFICATIONS OF PUBLIC EMPLOYEES

CALIFORNIA LEGISLATURE
WILLARD M. HUYCK, Chairman

December 2, 1949

As one phase of its work, the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees, created by House Resolution No. 255 of the Assembly of California, 1949, Regular Session, will conduct a thorough, impartial and professional survey of the salaries and compensation of state executives and members of state commissions whose salaries are fixed by the State Legislature. The committee has appointed the J. L. Jacobs and Company, Management Consultants and Engineers of Chicago, as it staff consultants.

In order that proper consideration may be given to the duties, responsibilities and other requirements and salaries of such positions in the State of California, the survey will include an analysis of such duties, responsibilities and present salaries, as well as the work requirements and prevailing salaries of comparable positions in other states.

The committee requests your cooperation in this study to the extent of furnishing a statement of your duties, responsibilities, present salary, and related information, on the enclosed questionnaire. The information which you submit will be treated as confidential.

To facilitate the progress of the survey, your questionnaire should be returned in the self-addressed envelope, which is enclosed for your convenience, to the J. L. Jacobs and Company not later than December 12, 1949. If for any reason you are unable to provide this information by December 12, may we request that you notify the J. L. Jacobs and Company as to the exact date when you will be able to return the questionnaire.

The committee will hold public hearings throughout the State of California between December 15, 1949, and February 1, 1950. If you or your representative desire to appear before the committee, please indicate in the space provided on the questionnaire.

Yours very truly,

WILLARD M. HUYCK
Chairman

Appendix B

EXHIBIT I

STATE OF CALIFORNIA

DESCRIPTION OF DUTIES AND RESPONSIBILITIES
STATE ADMINISTRATIVE OFFICIALS and MEMBERS OF COMMISSIONS

Number_____

(1) Name of Employee	(2) Title of Position or Office
(3) Name of Department or Commission*	(4) Division or Unit
(5) Name of Immediate Superior	(6) Title of Immediate Superior

(7) Description of Duties and Responsibilities*

Per Cent of Total Time	(a) Describe your present duties and responsibilities within your own organization, department or commissions.

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EXHIBIT I

(7) Description of Duties and Responsibilities: (Continued)

Per Cent of Total Time	
	(b) Describe your present duties and responsibilities with relation to other units or departments in the organization:
	(c) Describe any occasional or limited responsibilities and assignments which you have in addition to the above:

(8) Supervision Received: Describe the kind and extent of supervision exercised over your work, describing in what detail assignments are made and instructions given to you, and what decisions are made for you:

(9) Responsibility for Supervision Exercised:

(a) Name the department or organization units supervised by you:

(b) Describe the main functions carried on under your direct supervision:

(c) What is your present annual salary:

(d) What perquisites and expense allowances are you entitled to receive?

(e) Name the average number of employees supervised by you:

(f) Indicate the amount of your budget for the present fiscal year:

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EXHIBIT I

(9) Responsibility for Supervision Exercised: (Continued)

(g) Describe the nature, extent and breadth of your supervisory responsibilities, including your supervision for planning, making assignments, giving work instructions, reviewing, coordinating and exercising direction or supervision of the above employees and their work activities:

(h) Describe briefly how you transmit your instructions and directions to the employees you supervise (verbal or written instructions, use of bulletin board, meetings, etc.):

(10) Other Specific Responsibilities:

(a) Responsibility for Policies: Describe what you understand to be your responsibilities for carrying out, interpreting, developing, originating and approving department or commission policies, essential for efficient administration, operation and management in the units and departments.

(b) Responsibility for Methods and Procedure: Describe what you understand to be your responsibilities for following; carrying out, and interpreting, developing or establishing systematic and organized work operations through use of work methods, procedures, standards, and instructions.

(c) Responsibility for Materials and Supplies: Describe what you understand to be your responsibilities for the effective use and conservation of materials and supplies and expendable equipment used in your department or for preventing loss or damage to such equipment or delays in work in process.

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EXHIBIT I

(10) Other Specific Responsibilities: (Continued)

(d) Responsibility for Confidence and Trust: Describe what you understand to be your responsibilities for reliability, trust and discretion in handling materials, supplies, monies, processes or matters of a confidential nature:

(e) Responsibility for Cooperative Service: Describe what you understand to be your responsibilities for contacting and cooperating with executives and administrators in your own and other state departments:

(f) Responsibility for Records and Reports: Describe what you understand to be your responsibilities for supervising, preparing, keeping and reviewing specific work, operational and production records, reports, inventories, studies or other information necessary within your duties. List the specific records and reports which you make or review and indicate the nature and purpose of such records.

(g) Responsibility for Machinery and Equipment: Describe what you understand to be your responsibilities for the proper use, operation, construction, maintenance, repair, test and inspection of machinery, equipment, buildings and institutions.

(11) Do you wish to appear before the Committee? Yes..... No.....

(12) The above answers are my own and cover my understanding of the duties and responsibilities of my position.

..... (Date)

....
Signature of Administrative Official or Member of Commission

....
Official Title

(4)

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EXHIBIT I

STATE OF CALIFORNIA

INSTRUCTIONS FOR PREPARING DESCRIPTIONS OF DUTIES AND RESPONSIBILITIES BY STATE ADMINISTRATIVE OFFICIALS AND MEMBERS OF STATE COMMISSION

(1) *Questionnaire to be filled out:* Two copies of the questionnaire are attached, one of which is to be used as a work sheet. After reviewing the answers on your work sheet to be sure that they are accurate and complete, you should write them in on the other copy either in ink or typed.

(2) *Questionnaire Items 1 to 4:* Answers to Items 1 to 4 on the questionnaire will serve to identify the name and title of each official and the unit or department in which each administrative employee is now assigned.

(3) *Questionnaire Items 5 and 6:* Answers to Items 5 and 6 should give the name and title of the immediate superior. By "Immediate Superior" is meant the person next above you in authority.

(4) *Questionnaire Item 7:* Under Item 7, you should set out clear, factual statements of your regular duties and responsibilities together with your duties and responsibilities relating to other units or departments in which you work. Describe the duties that normally take the greater percentage of your time, and then describe the next important kind of work, entering the special and occasional duties last. Make the best estimate of the percent of the total time that you normally give to each kind of work and responsibility.

(5) *Questionnaire Items 8, 9, and 10:* Answers to Items 8, 9, and 10 should define and supplement the information on the nature and extent of your specific duties and responsibilities as you understand them.

(6) Answer all items of the questionnaire applicable to the duties and responsibilities of your position.

(7) *Return Questionnaire to J. L. Jacobs Company:* To facilitate the progress of the survey, your questionnaire should be returned in the self-addressed envelope, which is enclosed for your convenience, to the J. L. Jacobs and Company not later than December 12, 1949. If for any reason you are unable to provide this information by December 12, please notify the J. L. Jacobs and Company as to the exact date when you will be able to return the questionnaire.

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EXHIBIT II

SALARY SURVEY OF STATE ADMINISTRATIVE AND EXECUTIVE POSITIONS
FOR THE

CALIFORNIA STATE ASSEMBLY INTERIM COMMITTEE ON SALARIES

Date_____

State of _____ Information furnished by _____

Note: Please fill in and return this questionnaire in the self-addressed envelope to J. L. Jacobs & Company, Management Consultants, Chicago.

Position Title	Major Responsibilities	Present Salary Schedule		Other Allowance or Compensation
		Minimum	Maximum	
Governor -				
Executive Secretary to the Governor -				
Attorney General -				
Secretary of State -				
Lieutenant Governor -				
Director of Finance -				
Superintendent of Banks				
Controller				
State Treasurer				
Deputy Director, Department of Justice				
Legislative Counsel				
State Librarian				
Director of Agriculture				
Director, Department of Motor Vehicles				

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EXHIBIT II

Position Title	Major Responsibilities	Present Salary Schedule Minimum	Present Salary Schedule Maximum	Other Allowance or Compensation
Registrar of Vehicles -				
Director of Mental Hygiene -				
Director of Natural Resources -				
Director of Industrial Relations -				
Chief of Division of Public Employment Offices and Benefit Payments -				
Chief of Division of Industrial Welfare -				
Chief of Division of Industrial Safety -				
Director of Professional and Vocational Standards -				
Director of Public Health -				
Superintendent of Public Instruction				
Deputy Superintendent of Public Instruction				
Director, Public Works Department				
Chief of Division of Highways				

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EXHIBIT II

Position Title	Major Responsibilities	Present Salary Schedule Minimum	Maximum	Other Allowance or Compensation
Director of Social Welfare -				
Director of Veterans' Affairs -				
Director, Youth Authority -				
Adjutant General				
Director of Corrections				
State Fire Marshal				
Director of Planning and Research				
Secretary, Athletic Commission				
Members, Adult Authority				
Building and Loan Commissioner				
Commissioner of Corporations				
Members, Industrial Accident Commission				
Insurance Commissioner				
Labor Commissioner				
Members, Public Utilities Commissioner				
Secretary, Horse Racing Board				

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EXHIBIT II

Position Title	Major Responsibilities	Present Salary Schedule		Other Allowance or Compensation
		Minimum	Maximum	
Members, Unemployment Appeals Board				
Members, State Board of Equalization				
Highway Patrol Commissioner				
Members, Civil Service Commission				
Real Estate Commissioner				
Registrar of Contractors				
Members, Youth Authority				

Appendix C

EXHIBIT I

FIFTEEN HIGHEST PAID DEPARTMENT HEADS STATE OF CALIFORNIA

Title	*Maximum annual salary*
1. Attorney General	$16,000
2. Director, Department of Mental Hygiene	15,000
3. Legislative Counsel	15,000
4. Director, Department of Public Works	15,000
5. Director, Department of Finance	15,000
6. Manager, State Compensation Insurance Fund	15,000
7. Superintendent of Banks	15,000
8. Director, Department of Public Health	13,000
9. Commissioner of Insurance	12,500
10. Director, Department of Corrections	12,500
11. State Controller	12,000
12. Director, Department of Agriculture	12,000
13. Director, Department of Natural Resources	12,000
14. Port Manager, Board of State Harbor Commissioners	12,000
15. Director, Department of Motor Vehicles	12,000

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EXHIBIT II

FIFTEEN HIGHEST PAID DEPARTMENT HEADS STATE OF NEW YORK

Title	*Maximum annual salary*
1. Attorney General	$20,000
2. Comptroller	20,000
3. President of University and Commissioner of Education	20,000
4. Chairman of Public Service Commission	17,500
5. Superintendent, Department of Public Works	17,500
6. Director of the Budget	16,500
7. Superintendent of Banks	16,500
8. Superintendent, Department of Insurance	16,500
9. Industrial Commissioner	16,500
10. Commissioner, Department of Mental Hygiene	16,500
11. Commissioner of Social Welfare	16,500
12. Commissioner of Taxation and Finance and President of Tax Commission	16,500
13. Commissioner of Agriculture and Markets	15,000
14. Commissioner, Conservation Department	15,000
15. Commissioner, Department of Corrections	15,000

Appendix C

EXHIBIT III

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
STATE OF PENNSYLVANIA

Title	*Maximum annual salary*
1. State Treasurer	$15,000
2. Superintendent of Public Instruction	15,000
3. Director of Public Works	15,000
4. Attorney General	15,000
5. Controller	15,000
6. Director of Public Health	15,000
7. Secretary of State	15,000
8. Director of Natural Resources	15,000
9. Director of Labor	15,000
10. Director of Social Welfare	15,000
11. Superintendent of Banks	15,000
12. Commissioner of Insurance	15,000
13. Director of Agriculture	15,000
14. Highway Patrol Commissioner	15,000
15. Adjutant General	15,000

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EXHIBIT IV

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
SAN FRANCISCO CITY AND COUNTY

Title	*Maximum annual salary*
1 Manager of Utilities	$18,000
2. Chief Administrative Officer	18,000
3. Controller	15,000
4. Director of Public Health	15,000
5. Assessor	15,000
6. Director of Public Works	15,000
7. General Manager, Municipal Railway Bureau	15,000
8. General Manager and Chief Engineer, Water Service	15,000
9. City Attorney	15,000
10. District Attorney	15,000
11. Manager of Airport	13,200
12. Director of Planning	12,000
13 Purchaser of Supplies	12,000
14. Manager and Chief Engineer, Hetch Hetchy Bureau	12,000
15. Personnel Director and Secretary Civil Service Commission	12,000

Appendix C

EXHIBIT V

FIFTEEN HIGHEST PAID DEPARTMENT HEADS LOS ANGELES COUNTY

Title	*Maximum annual salary*
1. Chief Administrative Officer	$18,000
2. Assessor	15,000
3. County Counsel	15,000
4. District Attorney	15,000
5. Sheriff	15,000
6. Superintendent of Charities	15,000
7. Superintendent of Schools	15,000
8. Treasurer	13,284
9. Auditor	13,284
10. Health Officer	12,480
11. Chief Mechanical Engineer	11,904
12. Road Commissioner	11,904
13. Surveyor	11,904
14. Director of History, Science, and Art	10,000
15. Director Consultant of History, Science, and Art	10,000

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EXHIBIT VI

FIFTEEN HIGHEST PAID DEPARTMENT HEADS LOS ANGELES CITY

Title	*Maximum annual salary*
1. Mayor	$18,000
2. General Manager, Harbor Department	16,536
3. City Attorney	15,000
4. General Manager, Airport Department	15,000
5. City Engineer	14,040
6. City Librarian	12,500
7. Health Officer	12,480
8. City Planning Director	12,480
9. Superintendent of Parks	12,480
10. Chief Engineer, Fire Department	12,480
11. Chief of Police	12,480
12. Controller	12,000
13. Purchasing Agent	11,904
14. Director, Budgets and Efficiency	11,904
15. City Clerk	11,904

Appendix C

EXHIBIT VII

LOS ANGELES DEPARTMENT OF WATER AND POWER
DECEMBER, 1950

Title	*No. of positions*	*Maximum annual salaries*
1. General Manager, Department of Water and Power	1	$27,456
2. Chief Engineer, Water Works	1	20,460
3. Chief Electrical Engineer	1	20,460
4. Assistant Chief Engineer, Water Works	1	17,460
5. Chief Assistant City Attorney	1	17,460
6. Auditor	1	17,460
7. Assistant Chief Electrical Engineer	2	17,460
8. Assistant City Attorney	4	15,300
9. Principal Electrical Engineer	10	14,460
10. Engineer of Design and Construction	1	14,460
11. Medical Director	1	14,400
12. Principal Mechanical Engineer	1	13,692
13. Principal Water Works Engineer	6	13,692
14. Principal Plant Engineer	1	13,692
15. Principal Electrical Engineer	1	13,020

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EXHIBIT VIII

MISCELLANEOUS DEPARTMENT HEADS—OTHER AGENCIES

Jurisdiction	*Title*	*Maximum annual salary*
Alameda County	Medical Director	$15,000
	District Attorney	15,000
	Sheriff	14,000
	Surveyor	14,000
Contra Costa County	Superintendent of Schools	15,000
Long Beach	Superintendent of Schools	15,000
Los Angeles City	Superintendent of Schools	25,000
Los Angeles County	Superintendent of Schools	15,000
Oakland	Superintendent of Schools	17,500
Pasadena City	City Manager	18,000
	Superintendent of Schools	17,500
	City Attorney	11,280
Sacramento City	City Manager	15,000
	Superintendent of Schools	12,500
Sacramento County	County Executive	14,808
San Diego City	City Manager	15,000
	Superintendent of Schools	12,800
San Diego County	Chief Administrative Officer	13,000
	Superintendent of Hospitals	12,000
	Director of Public Health	11,500
	Director of Public Works	11,000
San Francisco City and County	Superintendent of Schools	18,000
San Mateo County	Health Officer	15,200
Santa Clara County	Health Officer	12,000

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE
SACRAMENTO, CALIFORNIA, January 23, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Among the projects undertaken by your Interim Committee on Finance and Insurance is a study pertaining to unemployment insurance and problems related thereto. Because of its widespread interest to others as well as to members of the committee I transmit this as a semifinal report on this subject at this time with a request that it be printed in the Journal.

Very truly yours,

ERNEST R. GEDDES, Chairman

Cumulative Report on
UNEMPLOYMENT AND UNEMPLOYMENT INSURANCE AND ITS ADMINISTRATION IN THE STATE OF CALIFORNIA

The subject of unemployment insurance is of practical economic concern to every employer and every wage earner, which probably accounts for the fact that from inception it has been highly controversial.

The basic theory of unemployment insurance is widely acclaimed but almost every individual facet of its operation has been subjected to violent attack. Fine for the other fellow, comparatively few want any part of it for themselves.

There is, therefore, a general inclination to believe the worst about unemployment insurance and there is a constantly nagging feeling that there is widespread corruption, fraud, chiseling and mismanagement existent in the operation of the system. As a consequence, when abuses are brought to light, public reaction is both immediate and violent and often in disproportion to the offense.

Because of this general concept we have sought to uncover the causes for this thinking, to arrive at the basis of this reasoning and to offer concrete suggestions for improvement in the operation of the system, which is now so definitely a fixed part of our economic lives.

BACKGROUND MATERIAL

Some guideposts were available to this committee as a result of the "Senate Committee's Report on Employment Stabilization" * to the 1949 Regular Session of the Legislature; the studies of the "Interstate Conference of Employment Security Agencies" † of the same year and the fruitful conclusions of the "Governor's Conference on Employment" ‡ in December, 1949.

Classification and study of the material available from these sources helped determine the path to be pursued if we were to add to our knowledge in this field.

* See pages 57-73, Assembly Journal, September 20, 1950.
† See pages 74-94, Assembly Journal, September 20, 1950
‡ See pages 95-113, Assembly Journal, September 20, 1950.

SURVEY OF DEPARTMENT OF EMPLOYMENT

In an attempt to arrive at a comparison of staff used, work allocations and results achieved by the Department of Employment in September, 1949, when the spectre of widespread unemployment was abroad and a year later, when unemployment was approaching a new low, the following questionnaire was prepared by the committee. The department furnished this information, on a qualified basis, for each of its 95 offices and made a summation as shown below.

Department of Employment Questionnaire

Name of Office—State Total_____
Location of Office_____
Type of Workers Served_____

Information Required

Subject	*Sept., 1949*	*Sept., 1950*
Total office pay roll	$667,886	$653,194
Total number employees in office	2,411	2,259
Total number employees in claims payment *	1,439	1,063
Total number employees in job placement *	972	1,196
Total number new or reopened U. I. claims	116,628	58,400
Total all claims paid	813,794[a]	342,551[a]
Total number job referrals made	144,856	182,039
Total number job placements effected	103,307	126,082
Total number field contacts made	15,000[b]	14,361[b]

* If any employee spends in excess of 50 percent of his time in any work connected with the filing, investigating, payment, auditing or handling of claims, he should be considered as a claims payment employee, if more than 50 percent of his or her time is devoted to any direct phase of job placement, counseling, solicitation or investigation, consider as job placement employee

[a] Compensable weeks claimed

[b] Employer visits by Farm Placement representatives are not included. September, 1949, 2,923, September, 1950, 3,009.

The department does not possess data that will permit the submission of requested information showing the number of people engaged in claims activities and placement activities in each of the local offices during the months of September, 1949, and September, 1950.

In lieu of the requested information an approximate ratio was computed based on a sample time technique for approximately 16 local offices in each of the months of this report and applied to the state totals only since these ratios are not necessarily indicative of any particular office.

Computation of Ratio to Determine Personnel Engaged in Claims Payment Activities and Job Placement Activities

	Hours September, 1949	*Personnel equivalent*	*Percentage*	*Hours September, 1950*	*Personnel equivalent*	*Percentage*
Claims payment personnel	109,653.8	685	59.70	85,688.6	536	47.06
Job placement personnel	74,030.9	463	40.30	96,380.8	602	52.94
	183,684.7	1,148	100.00	182,069.4	1,138	100.00

Related to the foregoing, the following analysis is of interest:

	September, 1949	*September, 1950*
Average monthly salary	$277.90	$290.00
Number new or reopened claims handled per employee per month	81	53
Average number claim payments handled per employee per month	565½	321
Percentage of job referrals to job placements	72%	69.2%
Number job referrals made per employee per month	149	152
Cost per claim payment	$0 49	$0.90
Cost per job referral	1.86	1 91
Cost per job placement	2.61	2.73
Number job placements achieved per month per employee	106	106

NEW STUDIES INSTITUTED

The initial step was obvious, since on January 1, 1950, it became necessary to increase the rate of contribution by employers to the State Unemployment Fund, due to the balances as of that date having fallen below the minimums fixed by statute. We, therefore, instituted a study to determine, if possible, the "Factors Affecting the Solvency of the Unemployment Insurance Fund"* which focuses attention on some aspects of this matter, heretofore vaguely suspected, but in this report definitely confirmed.

Then, because the operative methods were suspect, there naturally followed a study of the agency charged with the administration of this complex legislation and of the relationship existing between that department and the employers and wage earners it serves. The report on the "Functions of the California Department of Employment"† accomplished the first objective while an electrical transcription of two afternoon briefing sessions held with employers by public information representatives of the Department of Employment ‡ furnished some insight into the scope of this phase of the problem.

Critical analysis of these several reports covering, as they did, practically every major phase of unemployment, indicated that many statements and conclusions expressed in all the studies were really assumptions, unfortunately not based on provable facts. For that reason this committee concluded that a "grass roots" approach should be made to obtain provable data, which could be confidently used to bring us to close grip with the problem and, if possible, provide bases for concrete suggestions for improvement in the act, its administration, and in the attitude of all concerned therewith.

A "GRASS ROOTS" APPROACH

The mechanics of this phase of our work were placed in the hands of the John B. Knight Company of Hollywood, who, working closely with

* See pages 114-130, Assembly Journal, September 20, 1950
† See pages 131-147, Assembly Journal, September 20, 1950.
‡ See pages 148-227, Assembly Journal, September 20, 1950
NOTE: See also the committee's published document, "A Preliminary Report on Unemployment and Unemployment Insurance," which is the document reprinting matter noted as appearing in the Assembly Journal.

our committee office staff carefully prepared the plan, set up the procedures, conducted the interviews and tabulated the replies. Here follows an explanation of the type of investigation conducted, an analysis of the findings and, as an appendix, the tabulations from which the analytical findings are taken.

It was early determined, in order to secure the desired information, that a simple public opinion survey, in the sense that it is ordinarily understood, could and would not answer the purposes of the committee. Instead it would be necessary to carefully analyze all that segment of the population having a direct interest in this matter, chart the true proportions of each category, weigh and balance the percentages and finally arrive at an adequate sampling that could be depended upon to represent the whole.

PERSONAL INTERVIEWS REQUIRED

The end result of these studies pointed up the necessity for interviewing a total of 2,379 representative individuals; among employers (250), their employees (1,200), the unemployed (900), and managers of local offices of the Department of Employment (29).

EMPLOYER SAMPLING

Employer sampling was by types of industry and percentagewise thereto, in relation to the extent of that industry in the State, as per the following figures:

	Percentage according to Department of commerce	*Percentage of sample attained in this survey*
Agriculture, forestry, mining and fishing	2	1.6
Construction	9	10.1
Manufacturing	28	30 0
Public utilities	9	8.1
Wholesale trade	9	7.3
Retail trade	23	22.7
Finance and insurance	6	6.9
Service	14	13.3

This sample was further broken down by classification of number of employees of each of the employers in each of the industries.

EMPLOYEE SAMPLING

The 1,200 employed persons interviewed were properly proportioned as to occupation, age, sex, size of establishment in which employed and in accordance with the distribution figures of the labor force of the State, as provided by the census bureau. These interviews were procured both on the job and in the home of employees.

The 900 unemployed persons interviewed were divided almost equally among those at the time drawing unemployment insurance benefits and those making new or reopening old claims. In most instances the interviewees were taken at random from "the line" by employees of the department, thus removing the choice from the hands of the interviewer.

DEPARTMENT OF EMPLOYMENT SAMPLING

Of the 95 Department of Employment offices in the State, 29 were visited and in each case the manager or his chief assistant was interviewed. Offices were selected by number of employees and type of applicants making up a majority of claims handled. Following is a list of Department of Employment offices in which not only were the managers or their assistants interviewed, but the interviews of the 900 unemployed were conducted:

Los Angeles Area
- Alhambra
- Huntington Park
- San Pedro
- San Fernando
- Culver City
- Flower Street Offices (2)
- Van Nuys

San Diego
San Bernardino
San Jose
Red Bluff

San Francisco Area
- Ferry Building
- Howard Street
- Maritime

South San Francisco

Glendale
Pomona
Los Angeles Hill Street
Santa Monica
East Los Angeles
Long Beach
Inglewood

Eureka
Chico
Fresno

Alameda
Berkeley
Oakland
San Rafael
Sacramento

Total samples were broken down on a proper geographical and population basis.

Interviews were obtained by trained personnel skilled in this type of work. All had been carefully schooled as to the objectives of the investigation and instructed that nothing be said which could or would bias or distort the true answer of respondents.

DEFINITION OF OBJECTIVES

Objectives desired were carefully worked out by the committee staff and once the goals had been established a sequential questionnaire was developed for each group of individuals from whom answers were sought.

A trial run was made on the first questionnaire form and it was subsequently revised, submitted to and approved by committee members, representatives of labor, management and the Department of Employment.

Specifically all four questionnaires were designed to develop:

(a) Basic concepts of the Unemployment Insurance Act

(b) Knowledge concerning its principal provisions

(c) Appraisal of and reaction to administration of the act, with suggestions for improvement

(d) Secure a measurement of the degree of cooperation and understanding existent between the four affected groups

(e) Effectiveness of administration in handling claims against the Unemployment Insurance Fund

(f) Functioning of the disability insurance provisions of the act.

Data peculiar to each group was also sought.

From the employers:

(a) Their employment practices

(b) Their experience with seasonal labor and its relationship to employment stabilization

From employed persons:

(a) Term of employment

(b) Personal experience with unemployment insurance

(c) Efficacy of employment service

From the unemployed:

(a) Incidence of repeat experience in unemployment

(b) Average weekly earning power

(c) Efficacy of employment service in his behalf

From department managers:

(a) Degree of cooperation enjoyed with employers and labor unions

(b) Internal problems of administration

Using only approved techniques and procedures for such investigatory survey work, the required number of completed questionnaires were obtained, classified, correlated, checked and tabulated with the results as shown on the following pages.

At the specific request of the chairman, no formal anaylsis was made of these returns, but they were submitted for committee study without outside bias or prejudicial interpretation.

ANALYSIS OF FINDINGS

General Misconception of Purpose of Act

The most outstanding fact revealed by this survey is the amazingly widespread misconception existing in all walks of life as to the purpose of the Unemployment Insurance Act, how it derives its financial support, the basis of its administration, or any concern regarding its future solvency.

When 87.4 percent of the labor force, 80.9 percent of all employers and 37.9 percent of the managers of employment department officers say the purpose of the act is to:

"Provide financial aid to the unemployed" it becomes evident that a distorted perspective is a common rather than rare occurrence.

After pointing out that the purpose of the act is to stabilize the economy of the State, there is still wide disagreement as to how these benefits accrue. While 82.3 percent of both the labor force and their employers think the operation of the act *is* beneficial to the economy of

the State, only 38.3 percent of this number could specifically say *how* these payments benefited that economy, i.e., by:

"Maintaining purchasing power,
Maintaining economic standards,
Keeping money in circulation."

Approximately the same percentage ascribed it to:

"Keeping people off relief,
Out of the bread lines and off charity lists."

To say the least this is a rather far-fetched conception of how a state's economy can be benefited.

Wrong Idea of Who Pays Costs

The next most unbelievable fact that came to light was that 78.1 percent of all employed persons, 80.7 percent of the unemployed and 62.1 percent of all employers (who themselves pay all costs) actually thought that the wage earners of the State contribute to the Unemployment Insurance Fund.

Approximately half of all these wage earners and employers thought the fund was sustained jointly by the contribution of both employer and employee, while only 13.3 percent of the employed persons, 9.5 percent of the unemployed and 35 5 percent of the employers knew that the fund is maintained 100 percent by contributions from employers.

These figures become more significant when it is remembered that the change from joint contribution of employee and employer to sole support by the employer was legislatively enacted four and one-half years ago.

"Unemployment Insurance" Deductions on Pay Checks

Delving further, 93.6 percent of both employed and unemployed who believe they are paying into the Unemployment Fund say the reason they know is that such a contribution or tax is taken out of their regular pay checks and the deductions appear on their pay checks or pay envelopes.

One explanation of this misconception may be found in the fact that a cursory survey among employers disclosed that even some of the largest employers in the State have not troubled to change their old check forms showing "U. I." as one of the listed deductions. And—even though no figures are entered in the space opposite the indicated "U. I." the impression left with workers is that a deduction is being made for this fund.

It is not to be pre-supposed from this widely accepted misconception, however, that the work force would assume any share of the cost burden of unemployment insurance, but rather that they are fully convinced of the fact that *they are now* and *have continuously been* contributing to this fund.

Belief That Worker Should Pay

More basic probably, is the inherent philosophical concept of both the work force and the employers that the wage earner *should* contribute to this fund. Such a belief is expressed by 78 4 percent of the employed.

83.8 percent of the unemployed, 84.7 percent of the employers and even 55.2 percent of the local office managers of the Department of Employment.

Probing deeper, for the "Why" of these answers, we find 73.9 percent of all employed persons queried, 76.5 percent of the unemployed, 73.2 percent of the employers and 33.5 percent of all employment office managers gave as their reason for so thinking that:

"Both are concerned,
Both benefit,
It would be fair."

Surprisingly only 7.1 percent of the employed persons, 5.6 percent of the unemployed, 7.2 percent of the employers and 41.4 percent of employment office managers thought this fund should be supported solely by the employer and the reasoning given for so thinking has little sound basis. The first three groups say:

"Employer has more money,
Employer's moral responsibility,
Employer benefits by employee's labor."

While the employment managers justify their response by arguing:

"Employees cannot contribute to unemployment insurance and disability insurance both,
Stabilizes employment,
Removes employee feeling that it is his money,
Makes law more effective."

Who Is the State?

Cause for deep reflection is provoked by the response of 28.2 percent of all employed persons, 32.9 percent of the unemployed, 17.7 percent of the employers and even *one* out of the 29 Department of Employment managers who believe that the *State Government only* should contribute to this fund, completely ignoring the fact that *it is* the *employer* and the *employee* who *constitute the State Government.*

Entitlement to Benefits

Answers to the question:

"Under the Unemployment Insurance Act, which of the following groups are entitled to receive benefits?"

were composites of both the knowledge and the philosophy of the persons interviewed. Therefore, the unanimity of opinion regarding *payments to those who lose their jobs through no fault of their own* is convincing support of its fairness, 86.5 percent of all employed persons, 93 percent of the unemployed and 99.2 percent of all employers, so subscribing.

On the other three parts of this question (all of whom can and do receive benefits after a prescribed waiting period) no more than 18 percent in any group subscribe to entitlement to receive benefits.

Again delving deeper in an attempt to get at the basic thinking of these interested people, we find that only 10.5 percent of the employed, 10.2 percent of the unemployed, 10.5 percent of the employers and 7.1

percent of the department managers thought the first provision (benefits for those who lose their jobs through no fault of their own—one week waiting period) an unreasonable one and this only for the reason that all of them believed that in such instances benefits should begin immediately—without the requirement of a week's waiting period.

Opinion as to reasonableness of the present provision concerning those who leave their work due to a trade dispute shows a greater range of disagreement than any other of the major provisions of this part of the act. Thirty-eight and nine-tenths percent of the employed, 41.2 percent of the unemployed and 15.4 percent of the employers think it unreasonable because:

> "The individual doesn't have the say (is sometimes forced to strike),
> Worker is trying to better himself,
> Worker has paid into the fund, or
> Worker has to live."

On the other hand, there is complete unanimity of thought among department managers that this provision is wholly reasonable, in that it permits the Department of Employment to remain in a nonpartisan position at all times.

Now, an entirely different attitude is expressed by all concerned as to that provision of the act covering those who voluntarily quit their jobs and are required to observe a waiting period of two to five weeks before any benefits can be drawn. Here, 22.8 percent of the employed, 28 percent of the unemployed, 47.1 percent of the employers and 32 percent of the department managers think this provision is unreasonable and give as their reason the belief that such persons should either be completely deprived of any benefits under the act or, as a very small percentage contend, be forced to endure a much longer waiting period or suffer heavy monetary penalties.

This sort of thinking also holds true concerning the provision of the act covering those discharged for misconduct in connection with their most recent work, i.e., a two to five week disqualification.

On this, 22.7 percent of the employed, 22.2 percent of the unemployed, 37.7 percent of all employers and 19.2 percent of the department managers think this unreasonable and for exactly the same reasons as just given for the previous provision.

Looking then at the over-all picture of the thinking concerning all four of these provisions, half of the labor force is satisfied with the reasonableness of their workings, 25 percent would like to have it relaxed as to the first two provisions and the other 25 percent would like to see it stiffened as to the last two. Thirteen percent of the employers would relax the first two, 42.4 percent would like to see the last two tightened. Two department managers want relaxation on the same two, 10 want the third provision stiffened and six the fourth.

Extension of Benefits to Other Workers

A significant disclosure of this survey is the attitude of all groups concerning the extension of benefits of unemployment insurance to:

Agricultural labor,
Domestic service workers,
Government workers and
Self-employed persons

where a composite percentage of 62.8 percent of employed persons, the unemployed and the employer groups, as well as 93.1 percent of the department managers favor their inclusion under the act, 28.3 percent of the first three groups and 6.9 percent of the managers think they should not be included and 8.9 percent replied that they did not know. The reasons both for and against inclusion were so varied that no compilation is possible for reporting purposes.

Unemployment Insurance Like Life and Fire Insurance

The percentages expressed in the answers to the question:

> "Do you look upon unemployment insurance in the same light as life and fire insurance insofar as your right to receive benefits is concerned?"

provided surprising confirmation of the belief which the work force holds that workers contribute to the Unemployment Insurance Fund.

Among employed persons 78.1 percent thought they contribute and 72.3 percent look on those contributions as payments on an insurance premium. Among the unemployed the percentages are 80.7 percent and 73.1 percent. Then if substantiation were needed the answer to the "Why" question provided it by 55 percent of both groups saying definitely:

> "Because I personally paid for it."

The less than 20 percent of the work force who do not so construe unemployment insurance express a wide variety of opinions as to why they do not so think, with only 3 percent of the total number realizing that it is but a temporary stop-gap to assuage a faltering economy in the particular worker's circumstance.

Getting at Basic Concepts

All the foregoing questions were posed to the four groups directly, vitally and daily concerned with this act, in order to evaluate their knowledge of its basic concept, and determine how nearly their personal philosophy regarding its place in the scheme of things squared with the facts in the situation.

These are the inescapable conclusions:

1. Regardless of faults in legislation, or criticism of interpretation or administration there is almost universal acclamation of the program.
2. There is a preponderance of opinion among all groups that its benefits should be extended to other workers.
3. The existent area of ignorance concerning almost every aspect of the act and its administration, among all groups, is so great that constant controversy, abuses, fraud and mismanagement cannot help but be natural concomitance.

Explorations Concerning Administration

The next area of appraisal explored was that of the reactions of all groups to the present administration of the act and the expression of some measurement of opinion concerning the requirements for bettering the administration through suggestions for improvement and an estimate of the degree of understanding and cooperation existent between all parties concerned.

Excessive Claims Payments

Purely as a lead question and to channelize the thinking of the persons being interviewed, this question was posed:

> "Do you believe that your local office of the State Department of Employment is paying an excessive number of claimants who are ineligible?"

Averaged out, one-third of all four groups, including department managers, are in agreement that such is their belief, while 25.9 percent say "No" and 39.2 percent say they "Don't Know."

Asked "Why" they so believed, more than half of the employed, the unemployed and employer groups of this opinion ascribed it to:

> "Belief of the unemployed that their contributions entitle them to all the insurance they can get."

This, of course, traces back directly to the two widely held misconceptions already discovered, (a) that employees *do* contribute to the Unemployment Insurance Fund and (b) that unemployment insurance is regarded in the same light as life and fire insurance. There is a surprising unanimity of opinion of both employed, unemployed and employer respondents, almost one-third of all those thinking too many ineligible claims are paid—who ascribe this to a lack of sufficient personnel to properly investigate the claims before making payment. A like number of the employed and employers believe such erroneous payments are being made because of a lack of desire on the part of the Department of Employment to properly investigate claims. However, this belief is concurred in by only half as many of the unemployed.

One the other hand, 90 percent of all department managers say this situation is due to a lack of interest on the part of employers in protesting and appealing claims.

Incidentally, but important to observe in this respect is the fact that 86.2 percent of all department managers interviewed report that it is the employer with 100 or more employees who most carefully handle unemployment insurance claims and that manufacturers, as a class, are the type of employer doing this job best, 65.5 percent so reporting, while retailers, transportation, service trades and other types of business failed to muster a percentage of as much as 14 percent. Furthermore, more than 50 percent of the department managers say that not more than one or two employers out of 10 throughout the State are doing a reasonably good job in keeping informed on the functions of the Unemployment Insurance Act.

Eighty percent of these managers also state that these claims slip through because of a lack of time and personnel to properly investigate.

Approximately one-third of this group of employers, 50 percent of the department managers, 25 percent of the employed and 14 percent of the unemployed, ascribe this condition to a lack of proper legislation.

On Adding Restrictions for Benefit Payments

Half the labor force is in favor of tightening up on benefit payments, a third are not in favor and the balance answered "Don't Know." More than three-fourths of those in favor of tightening up on the restrictions of payment want to eliminate chiseling, while 50 percent of those who are against any further restrictions believe they are tight enough now and want the matter to remain as it is.

After bringing to the attention of this group the fact that they pay no part of the cost of this program and then asking *if* they were called upon to pay for it, would their answer be the same, 75 percent replied in the affirmative.

Unemployment Insurance Claims Record

To get further confirmation, if possible, on how strongly the labor force feels about the payment of ineligible claims, this question was then asked:

> "Do you think that applicants for a job should be questioned concerning their previous unemployment insurance claims record, if this type of information would prove valuable in reducing unnecessary withdrawals from the fund?"

Two-thirds of both employed and unemployed agreed that such information should be secured. When employers were asked whether they sought such information of prospective employees only 6.8 percent replied in the affirmative. However, 92.9 percent of the department managers did not think such a question should be asked of prospective employees for the primary reason that it would not correctly determine ability for the job and secondarily it was not any business of the employers how many unemployment insurance claims he had in his past record.

Making Severance Statements

It having become obvious from all background studies that probably the greatest area of disagreement in the entire unemployment insurance lies in the differences of opinion which exist between employers and employees as to the cause of severance from employment, this question was inserted:

> "Do you think that a statement of reasons for leaving a place of employment, signed by both employer and employee, at the time of leaving, would or would not be valuable in reducing the number of claims?"

Three-fourths of the entire labor force and 82 percent of the department managers endorsed such a plan. Only 17 percent of each said "No," yet but 14.5 percent of the employers follow such a practice.

Claims Effect on Unemployment Insurance Costs

The labor force was queried concerning whether or not they thought the number and amount of unemployment insurance claims against any

employer could or would result in a difference in his costs or contribution rate.

Forty percent of them thought that such difference would result and 80 percent of that group knew why, i.e., that the rate is based on claims made against the employer's account. The other 60 percent frankly did not know or thought the rate was standardized or was based on the number of employees in any given firm.

Length of Employment and Benefits Drawn

Two-thirds of all employed persons had been on their present job for more than a year, 33 percent for less than a year, and this was borne out by the admission of 32.3 percent that they had received unemployment insurance. Of this percentage drawing unemployment insurance, more than three-fourths drew benefits for less than 13 weeks; 38.8 percent for less than four weeks; 24.7 percent for five to nine weeks and only 12.8 percent from 10 to 13 weeks Furthermore, of the 33 percent of the unemployed who had been on jobs for less than a year and had drawn unemployment insurance benefits there were 75.4 percent who had drawn these benefits on but one or not more than two different occasions, i.e., had been out of employment but once or twice in that period of time.

Among the unemployed better than 90 percent are seeking year-around employment while approximately 10 percent only want seasonal or part-time employment. Yet, out of all the unemployed, there were 58.6 percent who had been out of work not more than twice before during the past five years and another 16.4 percent had only been out of work as many as three times during the same period. Again among these unemployed persons there were 73.7 percent who drew benefits for less than 13 weeks, and 87.7 percent of all the unemployed had not drawn unemployment insurance on more than one or two previous occasions.

Another view of this particular situation is furnished by the fact that 58.1 percent of the unemployed, by reason of accumulations in their benefit year, were entitled to the maximum weekly benefit and 82 percent of them drew more than $21 per week.

Cause of Unemployment

Asked the cause of unemployment 68.8 percent of these unemployed said the reason for leaving their last job was because of: a lay-off, job completion, or due to the fact that it was seasonal work. Of these 56.2 percent had been employed in that particular place for less than one year, and significantly 47.6 percent of them had been earning in excess of $50 per week.

The State Employment Service

The employed, the unemployed and the employer groups were probed for their opinions concerning the operation of this service.

Among the employed who had in the past received unemployment insurance benefits, approximately half rated the department as doing a poor job in helping them to secure jobs, while the other half rated them "fair" to "good." Approximately one-third thought the jobs to which they were referred were comparable with the qualifications they had to offer, another third did not, and the remaining third did not know. In any event only 10 percent of the interviewed employed persons had ever

secured a job through the California State Employment Service while 90 percent had not. In the case of the unemployed, 22.4 percent had secured jobs through this service, while 77 6 percent had not.

Referrals

Substantiation of this latter claim is furnished by answers given by the unemployed showing that only 17.9 percent of them had been referred to a job by the Department of Employment, while 82.1 percent had not, and of the 17.9 percent referred to jobs, 67.9 percent were referred to only one job and 17.6 percent to two jobs. Of the referrals, 75 percent thought they were qualified for the jobs offered but 25 percent thought they were not, largely because it was not their line of work. When those referred were asked the question as to why they were not working on any of the jobs to which they had been referred, 32 5 percent said the job was taken on arrival, someone else got the job, or too many others had been sent out; 24.2 percent said it was due to lack of experience or because it was not their line of work.

On Getting a Job

With the foregoing information secured the next question was:

> "Do you consider your local California State Employment Service Office the best agency you can use to help you get a job?"

Among the employed 39.2 percent said yes, 49 percent said no, and 11.8 did not know. Among the unemployed 57 1 percent said yes, 40 percent said no and 2.9 percent did not know.

Employed workers, to the extent of 80 percent of those who had no faith in the Department of Employment as the best agency to help them secure a job, thought the department gave poor service, made no effort to secure jobs. 30.9 percent were not interested and undertook no screening, another 25.6 percent thought they had available no variety of jobs, failed to have the particular types of jobs which could be filled by the worker and that there were not available enough jobs of any kind. "I'm my own best agent," said 24.1 percent and only 7.3 percent of the unemployed workers stated that they obtained jobs through their union.

The unemployed were not so critical of the first premise, only 8.2 percent saying "poor service, no effort, etc.," but in the second category there were 4 percent more among the employed. Here 20 percent of them thought they were their own best agent, but 29.5 percent relied on their unions to secure them jobs.

In this same connection employers were asked specifically whether they considered their local California Employment Office a good source for securing new employees in five given classifications:

Professional and managerial
Clerical and sales
Service
Skilled
Semiskilled
Unskilled

Only the last two classifications received as much as a 50 percent vote in the affirmative, the first four ranging from only 24 percent to

45 percent. The universal and major complaint against workers in each of the classifications was "poorly qualified referrals" running from 34.3 percent in the professional and managerial classification to as high as 51.3 percent for service workers. In the first three categories 20 to 23 percent of all employers preferred other sources of supply, while in the latter three classifications from 28 to 45 percent of all employers preferred to hire through the unions.

Sixty-eight and eight-tenths percent of all employers interviewed stated that they *do not use* the State Department of Employment in the securing of *any* employees.

Approximately an equal number of employers both *report* and *fail to report* to the department when they find referrals *do not sincerely seek employment* or are *unqualified for the job* to which they have been referred, and only one-third of them take the time or trouble to notify the department when they do employ a person who has been drawing unemployment insurance.

Department managers themselves, at least nearly 65 percent of them, say that not more than 3 out of 10 employees depend upon the employment service to secure them a job.

Sincerity of Effort

All four groups were asked for an opinion as to how many unemployed persons referred to a job by the department they thought were sincerely seeking a job. The highest percentage among the employed, the unemployed and the employers were those who answered "Don't Know." Of those who expressed an opinion among the employed there were 19.6 percent who thought *5 out of 10* were honestly seeking work, in the unemployed group 18.8 percent thought *9 out of 10* honestly sought jobs. Employers thought very much like employed workers, the largest percentage—9.6 percent said *5 out of 10*. However, there was a vast change in the pattern of thinking on this point when interviewers reached the department managers, for 83 percent of them said that *8, 9* or *10 out of 10* of all their referrals were sincerely seeking work. This, it will be seen, is almost double the percentage of the same opinion among the unemployed, nearly four times that of the employed group and six times that of the employers.

What About the Administration of This Act?

The preceding questions were asked of two, three or all of the groups and except for the questions on the Disability Insurance Fund complete the unilateral study conducted among all groups. A statement of conclusions adduced from answers to this group of questions on the administration of the act now follows, and in turn will give way to analysis of answers obtained to questions peculiar to each group.

Summarizing, the answers to the foregoing questions show:

1. A third of all concerned believe a great many ineligible claims are being paid because of:

(a) Erroneous concept of employees of purpose of act and who pays for it

(b) Lack of interest on part of employers in protecting ineligible claims

(c) Insufficient time and personnel for department to investigate eligibility statements made

2. Half the labor force is for and half against any further restrictions on benefit payments. Those in favor of further restrictions argue that it will stop chiseling, those against, that the present restrictions are rigid enough.

3. Two-thirds to three-fourths of the labor force endorse ideas of having employers examine previous unemployment insurance claims record of prospective employees, and for providing statement of cause of employment severance when worker leaves a job. Department managers take exception to first, endorse the second. Employers presently do neither except in small percentage of cases.

4. The fact that one-third of the labor force has changed jobs within the past year and have been recipients of unemployment insurance benefits would appear to be a natural concomitants of a rapidly changing state economy.

Nearly 40 percent of these unemployed workers drew benefits for less than four weeks, 75 percent of them drew for less than 13 weeks and 58.6 had not been out of work more than twice during the preceding five years. Eighty-two percent of all such unemployed had sufficient wage credits to permit benefits of at least $21 per week. Particular attention is called to the fact that 68.8 percent of these unemployed ascribe their unemployment to lay-offs, job completions and seasonal work, all conditions beyond their control.

5. Half of all workers and employers criticize the job the department is doing, with reference to having jobs available, investigating qualifications of employment seekers, fitting jobs to workers, referring workers to possible jobs and following through after referral. A majority of employed persons, unemployed and employers place no reliance in the Department of Employment in helping to get jobs. Approximately 22.5 percent of both the unemployed and the employed rely upon themselves as their own best agents in securing a job and a like percentage entrust the task to their unions. Employers look to the department for semiskilled and unskilled labor half of the time, but in other categories use other sources of supply. Sixty-eight and eight-tenths percent of all employers do not use the department as a source of supply for *any* employees.

No more than one-third to one-half of the employer-respondents cooperate with the department by reporting referrals who do not sincerely seek jobs, or are unqualified for the job, or have previously been drawing unemployment insurance.

6. While 83 percent of the department managers thought 8, 9 or 10 out of every 10 unemployed persons are sincerely seeking work when they go out on a referral, only 45.6 percent of the *unemployed themselves* thought so and only 25 percent of the employed workers and 15.6 percent of the employers have any such idea.

Among Employers

Certain specific questions were directed to employers only to adduce certain facts, opinions and practices, pertinent to their operations.

1. It was found that 70 percent of respondents pay maximum contributions into the fund, and only 11.6 percent hold merit ratings entitling them to a contribution rate of less than 2 percent.

2. Among them 47.4 percent knew that there was a method of reducing their rate of contribution, 28.3 percent said there was no such method and 24.3 percent frankly did not know. Those who knew such a thing was possible also knew how it could be accomplished.

3. Over 50 percent of the interviewees had at some time paid less than the maximum contribution rate while about 43 percent had not and about an equal number ascribed the increase to:

(a) Recent automatic increase ----------19%
(b) Recent increase in number of claims filed--18.1%
(c) Low reserves in the fund----------17.2%
(d) Poor employment record of the company--17.2%

A. Significant in cross-checking the sample taken in this study is the fact that of the employers interviewed

41.2% employed 1 to 7 people
33.6% employed 8 to 49 people
12. % employed 50 to 99 people
13.2% employed 100 or more people

The employed persons questioned, being from the same plants, were in the same proportion with respect to size of business in which occupied.

5. Seventy and nine-tenths percent of all these same places of business were conducted on a year-round basis, while but 10 percent of them had as much as 50 percent seasonal employment. In 80 percent of these plants the annual labor turnover did not exceed 25 percent; 25 percent experiencing no labor turnover, 25 percent from 1 to 9 percent and 30 percent from 10 to 25 percent change in the labor pattern.

6. A fourth of these employers make it a rule to give preference to employees with previous employment status in California, three-fourths of them do not.

7. Eighty-one and nine-tenths percent of the employer respondents examine all claims for unemployment insurance to determine whether there is a question of eligibility, while 16.5 percent do not make it a practice to do so.

8. When doubtful claims of eligibility arise, 70 percent question or protest them, while 30 percent do not.

9. Queried as to whether, in their opinion, there were other grounds than those presently provided upon which employers should be permitted to question the eligibility of benefit claims, 75 percent either stated they did not know or had no suggestions to make. Of the other 25 percent about one-fourth of them thought protest should be permitted for:

"Quits without good cause"

which of course, is now a cause for declaration of ineligibility.

10. Only half of these employers say they have ever protested any unemployment insurance claims, while the other half admit they never have made such a protest. Of those who have made protest, 80 percent report reasonably prompt consideration of protests and 62.6 percent thought protests were given fair and impartial consideration.

11. But—of the approximately 70 percent of the employers who make it a practice to question or protest doubtful claims, only 32.4 percent stated that adverse rulings by the Claims Examiner, which they consider unfair, are appealed. Of the 63.2 percent who make first protests, three-fourths of them state they never had occasion to take the matter to an appeal board, while the others say, "too much red tape, not worth the time, claim examiner unfair or just plain too lazy."

12. Only 10 percent of the employers have been exposed to the informational meetings, held by the department for employers on the subject of unemployment insurance. Fifty-three and four-tenths percent of all employers content themselves with simply posting such information as is received from the department and consider their duty done by their employees, while 29.5 percent frankly say that they do nothing toward keeping their employees informed concerning the purposes of the Unemployment Insurance Act and of their eligibility for claims thereunder.

Obvious conclusions are:

(a) Only the large employer is concerned with merit rating, largely due to ignorance on the part of the great majority of all employers as to the fundamental provisions of the act.

(b) Labor turnover is not excessive in view of changing economy and rapid acceleration.

(c) Not enough attention is being paid by employers to protection of Unemployment Insurance Fund by giving first preference to previous California employment.

(d) Great laxity on the part of employers in both filing and pursuing claims that might be ineligible.

(e) Limited exposure of employers to information programs of the Department of Employment.

Looking at the Department of Employment

Finally there were propounded to the managers of the Department of Employment offices interviewed a number of questions, designed to secure a cumulative expression of their opinions and procedures with regard to the particular problems with which they are confronted.

It will be remembered, when provisions of the act were considered earlier, there were certain managers objecting in varying degrees to some of the provisions as they now exist. Concerning voluntary quits, 12 percent of the managers thought no benefits should be paid, and another 20 percent thought additional penalties should apply in the form of longer waiting periods before claim could be filed. Concerning discharge for misconduct in connection with their last work, unreasonableness was charged on the same grounds as voluntary quits by 7.7 percent of the managers for the first reason and 11.5 percent for the last reason. In

addition 7.1 percent of the managers thought that in the case of the person losing his job through no fault of his own, benefits should begin immediately rather than after a waiting period of one week.

This review is made because of the suggestions offered by these managers when asked to recommend, in the light of their experience, the changes which would make the Unemployment Insurance Act more effective. The 29 managers interviewed made 34 suggestions. Seven of them suggested that unemployment insurance for seasonal workers be limited to the work season. Two managers concurred in three different recommendations:

> "Invoke a rule of finality in regard to eligibility and ineligibility and clarify the terms 'equity' and 'good cause.' "
>
> "Clarify requirement that one must *seek work*."
>
> "Write clearly into the act that pregnant persons are not eligible."

Individual recommendations made were:

Should have more uniform laws throughout the State.

Must find a way of determining real labor market

Law is changed too often by Legislature; there is no possibility of establishing precedents.

A revision of the act based upon experiences of local department offices.

Modifications to toughen drawing of unemployment insurance.

Clarification and elimination of the ambiguity of the laws.

Put some real teeth into the disqualifying provisions.

Claimants should begin to draw benefits from the first day of filing.

Closer delineation between disability and unemployment insurance.

Simplify and have less forms.

More personnel for better screening.

Employers don't cooperate with department in policing the law.

Any time a claimant removes himself from the labor market the claimant should prove his availability by subsequent employment and earnings of at least four times his weekly benefit amount (As done in Washington.)

Penalty time should be deducted from total payments to make it effective.

Changes in regard to "trade disputes."

A stricter enforcement of the act that pertains to misconduct and discharges.

Trade disputes should be in effect one month before claims can be presented.

Voluntary job quitters should not be paid any benefits

More complete coverage of agricultural and government claimants.

Acts of misconduct and voluntary quitting should be penalized more.

Don't know.

Merit Rating

Twenty-four managers believe that present provisions of "merit rating" are desirable in that it helps to stabilize employment, encourages employer cooperation with the department, and provides an incentive

for employers to reduce their unemployment insurance contribution. Five of the managers interviewed do not think "merit rating" is a good thing; two believe it causes unreasonable protests by the employer and the others gave as their reasons:

(a) Employers attempt to force employees to quit rather than dismiss them,

(b) Gives an advantage to large employers,

(c) Penalizes the employer whose business is seasonal.

Labor Union Cooperation

Department managers rate labor unions from fair to good in disseminating information among their members concerning the act, its provisions and the changes occurring, and poor to fair in referring their members to the department for job placement. However, in the matter of helping to prevent chiseling on the fund, they are almost equally divided in their opinion as between the assistance being good, fair or poor, with a slight edge for a good job.

Claim Protests

Twenty-four of the 29 managers saw no additional grounds for protest of claims but five others offered six suggestions including pregnancy (2), misrepresentation by employee when being hired, refusal to take jobs, too narrow range of suitable jobs and when employee deliberately has himself fired. When it comes to protesting claims, there was a wide divergence of opinion among the managers as to the extent it is practiced by employers even when there are good and sufficient grounds for such a protest. Twenty percent thought only one out of every 10 eligible claims were protested, another 20 percent thought 5 out of 10 such claims were protested and the other 60 percent ranged in opinion from 1 to 9 out of 10.

Asked why they thought these good and sufficient claims against eligibility were not protested two-thirds of the managers thought it simply a lack of employer cooperation, 25 percent thought it due to lack of knowledge of the act, 10.7 percent attributed it to employers' desire to retain good relationship with employees and 10.7 percent said "Don't know."

Twenty-five out of the 29 managers interviewed thought that adequate investigation was made of every protest filed by an employer, while four thought not, due to lack of time, personnel and investigative facilities. The answers to this question do not coincide with the responses given to the question previously asked this group concerning whether they believed an excessive number of claims were being paid claimants who really were ineligible. To that question 10 of the managers answered yes and gave as their reasons for so believing: Lack of interest of employer, lack of time for proper investigation, lack of adequate legislation and improper statements of claimants.

Stability of Fund

At the time this survey was conducted (April and May, 1950) two-thirds of the managers were of the opinion that a very serious threat to the stability of the Unemployment Insurance Fund existed, 18 of them ascribing it to failure of employers to protest ineligible claims, 10 thought it due to a reduction in revenue because of the application of

employees' contribution to the Disability Fund. The same number mentioned "chiseling" as the cause, eight thought it might be the employees' misconception of their rights to the fund and as many as three mentioned too broad coverage, inadequate administration and the merit rating provisions of the act as causes for instability. (Multiple answers account for total of more than 29.)

Asked specifically whether such danger arose from present attitudes of employer, employee, Department of Employment or other causes, the answer percentages were 46.4 percent, 42.9 percent, 3.6 percent and 17.9 percent in that order. (Exceeding 100 percent account multiple answers.)

Public Criticism of Department

Asked for a personal opinion on whether they thought there was widespread criticism of the Department of Employment, 16 out of the 29 managers queried replied in the affirmative. These gave as their reason:

"Lack of understanding of the act,"

thought that the public blamed

"Administration within the department"

and gave it as their opinion that the way to lessen this criticism was to

"Educate the public"
"Improve public relations."

Internal Office Procedures

At this point in the interview, the committee representative asked to see the Department Manual, which is supposed to be maintained in each office covering all amendments to the act, department rulings, interpretations, procedures, etc. The question was then asked if this manual was posted to date and 28 out of 29 managers said yes, while one said he was only two days behind with such posting. Queried concerning the number of such amendments, rulings, decrees, etc., issued from the department main office during the preceding 60 days, the answers ranged all the way from 15 to 120, while 11 managers frankly said they did not know. Asked how they keep abreast of all changes, the majority said through reading the bulletin board when changes were posted and in staff meetings. Then asked whether the staff was kept abreast, 100 percent of the managers said "Yes" and in response to the inquiry as to how this was accomplished, 93.1 percent said through staff meetings, 37.9 percent said through reading and 10.3 percent said through supervisory training. (Multiple answers account for the more than 100 percent.)

The Result

Main inferences to be drawn from the answers made to these questions asked of department managers are:

(a) The act is so loosely drawn that widely differing interpretations of the same provision are easily possible. Obvious loopholes provide escape hatches for both employer, employee or department worker to give personal definition to most any given claim.

(b) Lack of clarity in legislation plus indifference of majority of employers concerning claims filed constitute a heavy drain on the

Unemployment Insurance Fund and imperil the stability of the fund.

(c) Every possible means should be used to encourage cooperation by labor unions and employers with the department and chief, for this reason managers approve of merit rating for employers.

(d) Widespread criticism of the administration of the act is acknowledged and ignorance on the part of all groups concerned is blamed.

(e) Procedural "red tape"—due to complexities arising from changes, amendments and additions to the act—so enmesh the administration that consistency of action on any given course becomes impossible.

Disability Insurance

Only a cursory examination was made of this subject but significantly the answers are most revealing.

Asked who pays for disability insurance, the largest percentage for any one answer among the employed was 24.7 percent who thought both employer and employee pay for it, 19 3 percent thought the employee only paid for it and exactly the same percentage did not know. Fourteen and seven-tenths percent thought the employer bore the cost and 11.9 thought both employer, employee and the State shared the cost, 8.4 percent thought it was borne by the State Government.

Among the unemployed, one-fourth of all respondents had no notion of who paid for disability insurance, but the next highest percentage 19.1 percent represents answers of persons thinking the State Government bears the cost. Fourteen and five-tenths percent for employers, 13.7 percent for both employer and employee, 12.7 percent for the employee only and 12.6 percent thinking it was jointly borne by employer, employee and the State.

In the employer group less than half, 43.4 percent to be exact, knew the employee was bearing the cost of disability insurance, 25.2 percent thinking it divided between the employer and the employee, 9 2 percent thinking that they themselves paid it, 7.2 percent thinking it divided between themselves, the employee and the State and 12.7 percent not knowing.

Drawing Benefits

Only 10.7 percent of the employed and 14.9 percent of the unemployed had ever drawn benefits under this act and of this number a quarter of them had received benefits in excess of 10 weeks while the next highest percentage, an average of 15 percent had only drawn benefits for up to one week.

Eighty-two and one-tenth percent of the employed and 87.1 percent of the unemployed testified they had no unreasonable difficulty in establishing or securing claims and this was concurred in by 75.7 percent of the employers, while 20.7 percent professed ignorance.

Provisions of the Unemployment Insurance and Disability Insurance Acts

Asked the comprehensive question as to whether or not the respondent was generally satisfied with the Unemployment and Disability Insurance Act as now written and administered, 54.9 percent of the employed and 64.2 percent of the unemployed so expressed themselves, while 15 percent of the employed and half that percentage of the unemployed expressed any dissatisfaction. The reasons therefor were almost as numerous as the respondents in this category, thereby barring any attempt at tabulation.

Claims Allowance

Half of all employers interviewed had no idea whether an excessive number of claims were being paid, 37.8 percent thought not, while 12 percent were of the opinion that such was the case. Those so believing thought it due to fraudulent claims made, poor investigation, insufficient legislation and lack of personnel. On the other hand, those of the belief that no excessive number of claims were being paid thought that in disability insurance the fund was better protected, there was good administration and the fact that a medical doctor's certificate is required all operated to guard against excessive claims.

The conclusion to be drawn from this cursory examination is that there is a great deal more general confidence and acceptance of the disability insurance program than that of the Unemployment Insurance Act, though probably as great an area of ignorance is existent here as in the unemployment insurance program.

TABULATIONS OF RESPONDENT ANSWERS TO QUESTIONNAIRES

Here follow the questions propounded by interviewers to the various groups and a tabulation of their replies expressed percentage-wise to the group or to the whole as the case may be. These answers have been arranged as nearly as possible to conform in sequence with the preceding analysis.

What would you say is the purpose of unemployment insurance in California?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100 0%*
Financial aid to unemployed	87.7%	87 1%	80.9%	37.9%
Gives feeling of security, morale builder, protection	3 8	4.8	--	--
Maintains economic standard, avoids depression, aids community and business	1.8	2.0	6.4	58.6
Keeps people off relief	1 6	1.6	3.2	3.5
Opportunity for chiselers	1.3	--	5.6	--
Payments made to be drawn on when unemployed	1.2	1.1	--	--
Assists unemployed to find work for which qualified	0.3	1.6	0.4	--
Miscellaneous	0.4	0.2	0.8	--
Don't know	1.9	1 6	2.7	--

Do you believe that payment of valid unemployment insurance is beneficial to the economy of the State generally?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100 0%*
Yes	83.0%	82.3%	81.7%	100 0%
No	7.3	7.0	12.7	--
Don't know	9.7	10.7	5.6	--

(If believe that payment of valid unemployment insurance is beneficial to the economy of the State). Why?

	Employed persons (83 0)	*Unemployed persons (82.3)*
Those who believe payment of unemployment insurance is beneficial to economy	*	*
Keeps people off relief, charity, bread lines	39.9%	37.6%
Maintains purchasing power, economic standards, money in circulation	37.0	39.6
Makes better citizens, morale builder, reduces crime	13.8	17.4
Profit to State financially	3 3	0.8
Reduces state expense, saves state money	1.8	--
Miscellaneous	2 0	1.6
Don't know	6 2	7.9

* Totals to more than 100 percent because of multiple answers

(If do *not* believe that payment of valid unemployment insurance is beneficial to the economy of the State). Why not?

	Employed persons (7.3)	*Unemployed persons* (7 0)
Those who believe payment of unemployment insurance is *not* beneficial to economy	*100.0%*	*100.0%*
Causes people to be lazy chiselers	48.2%	29.5%
Depletes state fund	23 5	32 8
Miscellaneous	16 5	23 0
Don't know	11.8	14 7

Who pays the cost of California unemployment insurance? (Who contributes to the California Unemployment Insurance Fund?—asked of employers).

	Employed persons 100.0%	*Unemployed persons 100 0%*	*Employers 100 0%*
Both employer and employee	52 3%	44.3%	51 4%
Employer, employee and State	17 8	28.2	9.5
Employer only	13 3	9.5	35.5
Employee only	7.7	7.7	1.2
State Government only	2 2	3 9	0.4
Miscellaneous	1.6	2 0	1.2
Don't know	5.1	4.4	0 8

(If believe employee contributes to the fund). What makes you think you contribute or pay into the fund?

	Employed persons (78 1)	*Unemployed persons* (80.7)
Those who believe employee contributes to the fund	*	*100.0%*
Taxes taken from wages	88 0%	78.0%
Appears on pay check, stub, pay envelope	7 8	12 6
Heard it	0.4	3 5
Explained at work	--	1 2
Miscellaneous	2.3	1 7
Don't know	0.9	3 0

* Totals to more than 100 percent because of multiple answers.

Who do you think *should* contribute to the California Unemployment Insurance Fund?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100 0%*	*Department managers 100.0%*
Both employer and employee	40.1%	40 2%	55.0%	51.8%
Employer, employee and State Government	28 2	32.9	17 7	3.4
Employee only	10 1	10 7	12 0	--
Employer only	7 1	5 6	7.2	41 4
State Government only	5 9	5.9	2 0	3 4
Miscellaneous	4.6	2 7	5.2	--
Don't know	4.0	2 0	0.9	--

Who do you think *should* contribute to the California Unemployment Insurance Fund? Why?

	Employed persons	*Unemployed persons*	*Employers*
	(40.1)	(40.2)	(55.0)
Both employer and employee—because	*	*	*
Both benefit, both concerned	42.6%	34.7%	55.5%
Employee directly benefits	21.8	31.1	10.2
Fair	14.5	9.2	12.4
Cost is divided, less burden	13.8	10.9	5.8
Employers' moral responsibility	7.8	10.6	5.8
Employer benefits by labor of employee	4.2	9.0	--
Stabilizes employment	2.5	5.0	--
Employer can afford to help	2.3	2.0	1.5
Employer should help keep money in circulation	0.8	1.1	2.2
Miscellaneous	1.0	3.4	4.4
Don't know	4.8	7.0	6.6
Employer, employee and State Government—because	(28.2) *	(32.9) 100.0%	(17.7) *
All benefit, all concerned	45.2%	48.5%	52.3%
Cost is divided, less burden	36.3	29.2	29.5
Fair	7.4	9.2	9.1
Creates a larger fund	4.5	3.7	2.3
State has duty toward her citizens	3.3	1.4	--
Employee directly benefits	1.5	2.4	2.3
Miscellaneous	0.3	1.4	4.5
Don't know	2.4	4.2	2.3

* Totals to more than 100 percent because of multiple answers

Who do you think *should* contribute to the California Unemployment Insurance Fund? Why?

	Employed persons	*Unemployed persons*	*Employers*
	(10.1)	(10.7)	(12.0)
Employee only—because	*100.0%*	*100.0%*	*100.0%*
Employee directly benefits	100.0%	93.8%	86.7%
Employee can afford it	--	5.2	--
Miscellaneous	--	--	10.0
Don't know	--	1.0	3.3
	(7.1)	(5.6)	(7.2)
Employer only—because	*100.0%*	*100.0%*	*100.0%*
Employer has more money	51.2%	55.2%	16.7%
Employers' moral responsibility	16.7	16.3	11.1
Benefits by employees' labor	15.5	20.4	--
Miscellaneous	10.7	6.1	44.4
Don't know	5.9	2.0	27.8
	(5.9)	(5.9)	(2.0)
State Government only—because	*100.0%*	*100.0%*	*100.0%*
We pay taxes	40.7%	24.0%	--
Duty of State	34.8	44.0	40.0
State has money	10.1	22.0	20.0
Spend for good cause rather than waste it	4.3	8.0	--
Miscellaneous	--	--	40.0
Don't know	10.1	2.0	--
Miscellaneous	4.6	2.7	5.2
Don't know	4.0	2.0	0.9

Under the Unemployment Insurance Act, which of the following groups are entitled to receive benefits?

	Employed persons 100.0% *	*Unemployed persons 100.0%* *	*Employers 100.0%* *
Those who lose their jobs through no fault of their own	86 5%	93.0%	99.2%
Those who left their work because of a trade dispute	18.1	12.4	13 7
Those discharged for misconduct connected with their last job	11.6	7.5	10.1
Those who voluntarily quit their jobs without good cause	8.8	7.3	10.5
Don't know	5.3	6.0	0.4

* Totals to more than 100 percent because of multiple answers.

Do you consider that the above provisions of the Unemployment Insurance Act are:

	Employed persons	*Unemployed persons*	*Employers*	*Department managers*
Those who *voluntarily quit* their jobs without good cause—from two to five weeks' disqualification	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because should have some penalty as it is his own fault	46.6%	49 3%	34.1%	48.0%
Reasonable, because employer might be at fault, forced to quit, cut in pay, obtain better job	8.2	6.3	0.9	--
Reasonable, because he has paid into the fund	4 0	1.7	1.3	--
Reasonable, because he has to live	2.0	1.0	2.6	8.0
Unreasonable, because should not receive benefits	22.1	26.7	44.5	12.0
Unreasonable, because should wait longer, more penalty	0.7	1.3	2.6	20.0
Miscellaneous	--	1.0	2.2	12.0
Don't know	16 4	12.7	11 8	--
Those *discharged for misconduct* connected with their last work—from two to five weeks' disqualification	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because teach him a lesson, his own fault, should behave	32.0%	48.9%	34.2%	57.8%
Reasonable, because may be employer's fault, two sides to every story	17.1	4.8	1.8	11.5
Reasonable, because he has paid into the fund	4.0	1.2	0 4	--
Reasonable, because he has to live	2.5	1.8	0.9	--
Unreasonable, because should not receive benefits	21.6	20.6	32.9	7.7
Unreasonable, because should wait longer, more penalty	1.1	1 6	4.8	11.5
Miscellaneous	0.1	--	4.4	11.5
Don't know	21.6	21.1	20.6	--

Do you consider that the above provisions of the Unemployment Insurance Act are:

	Employed persons	*Unemployed persons*	*Employers*	*Department managers*
Those who left their work because of a *trade dispute*—disqualified for duration of trade dispute	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because union should take care of him	12.3%	8.5%	11.4%	4.2%
Reasonable, because he knows what he is doing, voluntarily striking	10.8	4.3	7.5	12.5
Reasonable, because he should not receive benefits	8.0	6.1	35.5	12.5
Reasonable, but should not go on strike, don't believe in strikes	4.9	7 3	2.2	4.2
Reasonable, because would bring on more strikes	2.9	1.6	4.4	4.2
Unreasonable, because individual doesn't have say, is sometimes forced to strike	29.9	33.5	8.3	--
Unreasonable, because trying to better himself	4.4	3.1	3.5	--
Unreasonable, because he has paid into the fund	2.6	3.3	1.8	--
Unreasonable, because he has to live	2 0	1.3	1.8	--
Reasonable, because it places department in nonpartisan position	--	--	--	45.8
Miscellaneous	0.5	3.3	4.4	16.6
Don't know	21.7	27.7	19.2	--
Those who lose their jobs through *no fault of their own*—one week waiting period	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because entitled to it, deserve it	39.7%	22.0%	28.2%	10.7%
Reasonable, because lost through no fault of own	11.6	23.9	10.1	3 6
Reasonable, because he paid into the fund	9.0	4.5	0.8	--
Reasonable, because he needs it, fund set up for his protection	7.4	15.1	39.1	42.9
Reasonable, because department must have time for investigation and processing of claims	5.9	3.9	2.4	7.1
Reasonable, because should be able to wait one week, has last week's pay	5.1	10.2	3 6	10.7
Reasonable, because might look for a job in meantime	4.5	4.8	0.8	3.6
Unreasonable, because should receive benefits immediately	10.5	10.2	10.5	7.1
Miscellaneous	0.3	0.7	1.3	10.7
Don't know	6.0	4.7	3.2	3.6

Do you think that any of the following groups should be covered by unemployment insurance?

	Total	*Yes*	*No*	*Don't know*
Employed persons				
Agricultural labor	100.0%	72.4%	18.2%	9.4%
Domestic service	100.0	70.8	20.9	8.3
Government workers	100.0	60.8	31.5	7.7
Self-employed persons	100.0	49.4	41.0	9.6
Unemployed persons				
Agricultural labor	100 0%	79.1%	9.7%	11.2%
Domestic service	100.0	76.6	13.3	10.1
Government workers	100 0	70 1	21.4	8.5
Self-employed persons	100.0	46.4	41.8	11.8
Employers				
Agricultural labor	100.0%	57.0%	30.5%	12.5%
Domestic service	100.0	59.5	34.4	6.1
Government workers	100.0	57.1	35.9	7.0
Self-employed persons	100.0	54.2	40.4	5.4

Do you look upon unemployment insurance in the same light as life or fire insurance insofar as your right to receive benefits is concerned?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	71 3%	73.1%
No	20.7	18.2
Don't know	8.0	8.7

(If yes) Why?	*Employed persons* (71.3)	*Unemployed persons* (73.1)
Those who look upon unemployment insurance as other insurance	*100.0%*	*100.0%*
Personally paid for it	49.7%	55.2%
Purpose is to assist, necessary, protection, security	46.2	41.3
Miscellaneous	--	--
Don't know	4.1	3.5

(If no) Why not?	*Employed persons* (20.7)	*Unemployed persons* (18.2)
Those who do not look upon unemployment insurance as other insurance	*100.0%*	*100.0%*
Conditional, not always qualified to collect, may never collect	33.2%	25.7%
Not personally paid for, others help, state grant, privilege	14.7	17.8
Temporary relief only	13.9	17.8
Amount of money not same	5.5	7.2
Rather work than collect	0.4	9.2
Miscellaneous	19.7	14.5
Don't know	12.6	7.8

Do you believe that your local office of the State Department of Employment is paying an excessive number of claimants who are ineligible?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100.0%*
Yes	39.0%	22.2%	43.4%	34.5%
No	25.9	35.5	16.3	65.5
Don't know	35.1	42.3	40.3	--

(If believe local office of Department of Employment is paying an excessive number of claimants who are ineligible) For what reason or reasons?

	Employed persons (39.0)	*Unemployed persons* (22.2)	*Employers* (43.4)	*Department managers* (34.5)
Those who believe excessive number of claims are paid	*	*	*	*
Belief of the unemployed that their contributions entitle them to all the insurance they can get	57.9%	56.1%	62.4%	--
Lack of sufficient personnel for proper investigation of claims	32.2	31 6	30.3	--
Lack of desire by the department to properly investigate claims	30.7	14.8	36.7	--
Because of inadequacy of present legislation	25.1	14.3	33 9	50 0
Lack of interest by employers in protesting and appealing claims	24.7	15.8	34.9	90.0
There are always chiselers	2.6	5.1	2.8	--
Lack of time for proper investigation of claims	--	--	--	80 0
Improper statements of unemployed persons leading to payments to which they are not entitled	--	--	--	40.0
Miscellaneous	5.8	0 5	7.3	50.0
Don't know	1.1	1.5	0.9	--

* Totals to more than 100 percent because of multiple answers.

Are you or are you not in favor of tightening up on the payment of unemployment insurance?

	Employed persons *100 0%*	*Unemployed persons* *100.0%*
In favor	50.1%	45 4%
Not in favor	33.7	35.7
Don't know	16.2	18 9

(If in favor) Why?

	Employed persons (50.1)	*Unemployed persons* (45.4)
Those in favor of tightening up on payment	*100 0%*	*100.0%*
Eliminate chiseling	77.6%	78.4%
More investigation and efficiency in department	13 2	10 0
Fund is being depleted	2.7	4.1
Cause people to look for work	0 3	3.1
Miscellaneous	3.4	2 8
Don't know	2.8	1.6

(If not in favor) Why?

	Employed persons (33.7)	*Unemployed persons* (35.7)
Those not in favor of tightening up on payment	*100.0%*	*100.0%*
Tight enough now, OK as is	86 6%	74.3%
Jobs not available, would work if could, people need it	3.5	8 6
They paid for it	--	4 4
Miscellaneous	3.6	2.2
Don't know	6.3	10.5

(If not in favor of tightening up on payment of unemployment insurance) Do you think your answer would be the same even if *you* were asked to pay all or part of the increased contributions necessary?

	Employed persons (33.7)	*Unemployed persons* (35.7)
Those not in favor of tightening up on payment	*100.0%*	*100.0%*
Yes	73.8%	73.0%
No	10.8	11.7
Don't know	15.4	15.3

Do you think that applicants for a job should be questioned concerning their previous unemployment insurance claims record if this type of information would prove valuable in reducing unnecessary withdrawals from the fund?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Yes	66.5%	68.2%
No	27.1	24.1
Don't know	6.4	7.7

Do you think that a statement of reasons for leaving a place of employment signed by both employee and employer at time of leaving, would or would not be valuable in reducing the number of ineligible claims?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Would be valuable	74.1%	73.6%
Would not be valuable	17.0	17.4
Don't know	8.9	9.0

Do you think that the number and amount of claims for unemployment insurance to employees leaving the service of any firm could have any effect on that firm's unemployment insurance costs?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Yes	42.8%	38.1%
No	23.7	25.7
Don't know	33.5	36.2

(If yes) Why?	*Employed persons* (42.8)	*Unemployed persons* (38.1)
Those who believe claims affect firm's unemployment insurance costs	*100.1%*	*100.0%*
Rate is based on claims against employer's account	79.0%	80.9%
Changes always cost	3.8	7.4
Miscellaneous	4.0	1.2
Don't know	13.2	10.5

(If no) Why not?	*Employed persons* (23.7)	*Unemployed persons* (25.7)
Those who believe claims do *not* affect firm's unemployment costs	*100 0%*	*100.0%*
Standardized rate	30.2%	50.7%
Pay according to number of employees	29.1	9 0
Employee only contributes	1.8	2.3
Payments stop on departure of employee	--	3 2
Miscellaneous	4.7	5.9
Don't know	34.2	28.9

Are you seeking steady year-around employment, or do you prefer to work on a part-time or seasonal basis?

	Unemployed persons 100.0%
Year-around	90.7%
Seasonal or part-time	9.3

How many times have you been unemployed in the last five years?

	Unemployed persons 100.0%
None	8.9%
1 time	26.6
2 times	23.1
3	16.4
4	5.8
5	7.7
6	2.8
7	0.2
8	0.9
9	0.2
10 times and over	7.0
Don't know	0 4

Are you now drawing unemployment insurance?

	Unemployed persons 100.0%
Yes	53.9%
No	46.1

How long have you been drawing?

	Unemployed persons (53.9)
Those unemployed persons who are now drawing	*100.0%*
1 to 4 weeks	28.4%
5 to 8 weeks	24.3
9 to 13 weeks	21 0
14 to 17 weeks	10.6
18 to 21 weeks	7.9
22 to 26 weeks	7 5
27 weeks and over	0.3

How much are you drawing per week?

	Unemployed persons (53.9)
Those unemployed persons who are now drawing	*100.0%*
$8 to $15 per week	6.0%
$16 to $20 per week	12.0
$21 to $24 per week	23.9
$25 per week and over	58.1

Why did you leave your last job?

	Unemployed persons 100.0%
Laid off, job completed, seasonal work	68.8%
Quit, personal, ill, moved, school, married, pregnant, member of family ill	15.2
Grievance against job or employer, too much work, poor hours, poor pay, no job upon returning from illness, did not like boss, unfavorable working conditions, promise not kept	7 4
Grievance against employee, fired, too slow, incompetent	6.8
Miscellaneous	1.4
Refused to state	0.4

How long were you employed there?

	Unemployed persons 100.0%
Less than 1 month	10.8%
1 to 3 months	19.1
4 to 6 months	12.9
7 months to 1 year	13.4
1 year to 5 years	38.9
6 years and over	4.9

How many different times before this one have you drawn unemployment insurance benefits?

	Unemployed persons 100.0%
None	39.7%
One time	34.5
Two times	13.5
Three	6.4
Four	2.2
Five times and over	3 2
Don't know	0.5

On an average, about how much were you making a week during the past 18 months?

	Unemployed persons 100.0%
Up to $25	11.6%
$26 to $35	15.0
$36 to $50	25.8
$51 to $75	35.4
$76 and over	12 2

Have you been referred to any jobs by the Department of Employment since you lost your last job?

	Unemployed persons 100.0%
Yes	17.9%
No	82 1

(If yes) to how many different jobs have you been referred since you lost your last job?

	Unemployed persons (17.9)
Those unemployed persons referred to jobs by the department	*100.0%*
One job	67.9%
Two jobs	17.6
Three jobs	8.2
Four jobs	1.9
Five and over	4.4

(If referred to a job) do you think you were qualified to handle all of the jobs to which you were referred?

	Unemployed persons (17.9)
Those unemployed persons who were referred to a job	*100.0%*
Yes	75.0%
No	25.0

(If no) why not?

	Unemployed persons (25.0)
Those unemployed persons who were referred to a job for which they were not qualified	*100.0%*
Not my line of work	83.8%
Temporary job	5.4
Too young	5.4
Miscellaneous	5.4

(If yes) why are you not working on any of these jobs?

	Unemployed persons (17.9)
Those unemployed persons referred to jobs by the department	*100.0%*
Job taken upon arrival, someone else got job, too many others sent out	32.5%
Lack of experience, not my line of work	24.2
Will apply, haven't gone out yet, waiting to go to work now, haven't heard results yet	12.1
Temporary job	6.3
Age—too young or too old	5.1
Not local, travel time	5.1
Poor pay	5.1
Grievance against job, poor hours, did not like job or boss	4.5
Miscellaneous	4.5

Have you ever secured a job through the California State Employment Service?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Yes	10.0%	22.4%
No	90.0	77.6

Do you consider your local California State Employment Service office the best agency *you* can use to help you get a job?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	39.2%	57.1%
No	49.0	40 0
Don't know	11.8	2.9

(If not) why not?	*Employed persons* (49.0)	*Unemployed persons* (40.0)
Those who believe C. S. E. S. *not* their best agency	*	100.0%
Poor service, no effort, not interested, no screening	30.9%	8.2%
No variety, not my type of work, not enough jobs	25.6	29.5
I'm my best agent	24.1	20.1
Obtain jobs through union	7.3	29.5
Poor calibre and paying jobs	6.4	4.0
Employer does not use, does not cooperate, does not have confidence	5.1	7 6
Miscellaneous	1.1	1.1
Don't know	0 2	--

* Totals to more than 100 percent because of multiple answers.

About how many out of 10 people drawing unemployment insurance would you say are sincerely interested in getting the job to which they are referred by the California State Employment Service?—asked of employed and unemployed persons.

(How many out of 10 referrals from the local employment office do you believe are sincerely seeking a job?—asked of employers)

(About how many out of 10 referrals are sincerely seeking a job when they are sent out by the department?—asked of department managers)

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100.0%*
None	1.4%	0.1%	4.8%	3.4%
1 out of 10	2.9	1.5	3 6	3.4
2	4.2	2.5	6 8	--
3	6.1	1.9	3.2	--
4	3.3	1.4	3.2	--
5	19 6	14.9	9.6	--
6	5.9	4.6	4.8	3.4
7	9.3	8.3	6.8	3.4
8	9 9	14.7	7.6	34.5
9	8.8	18.8	0.8	34.5
10	4.3	12.1	7.2	14.0
Don't know	24.3	19.2	41.6	3.4

Who pays for disability insurance? (Who contributed to the non-industrial Disability Insurance Fund?—asked of employers).

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*
Both employer and employee	24.7%	13.7%	25.5%
Employee only	19.3	12.7	43.4
Employer only	14.7	14 5	9.2
Employer, employee and State	11.9	12.6	7.2
State Government only	8.4	19.1	1.2
Miscellaneous	1.7	2.4	0.8
Don't know	19.3	25.0	12.7

Have you ever received any benefits for disability from the California Disability Insurance Fund or under a voluntary plan?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	10 7%	14.9%
No	89.3	85.1

(If yes) How long did you draw the disability insurance benefits?

	Employed persons (10.7)	*Unemployed persons* (14.9)
Those who have received disability benefits	*100.0%*	*100.0%*
Up to 1 week	11.0%	19.2%
2 weeks	14.4	10 8
3 weeks	11.0	10.0
4 weeks	17.8	10.0
5 weeks	5.1	5.4
6 weeks	6.8	8.5
7 weeks	3.4	0 8
8 weeks	5.1	10.0
9 weeks	0.8	2.3
10 weeks and over	24.6	23.0

(If have received disability benefits) Did you have any unreasonable difficulty in establishing or securing your claim?

	Employed persons (10.7)	*Unemployed persons* (14.9)
Those who have received disability benefits	*100.0%*	*100.0%*
Yes	17.9%	12.9%
No	82.1	87.1

Have any of your employees ever had any trouble in getting any disability insurance under the act?

	Employers 100.0%
Yes	3.6%
No	75.7
Don't know	20.7

Are you generally satisfied with the Unemployment and Disability Insurance Act as now written and administered?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	54.9%	64.2%
No	15.2	7.7
Don't know	29.9	28.1

How long have you been on your present job?

	Employed persons 100.0%
Up to 2 months	9.7%
3 to 11 months	23 3
1 to 2 years	27 6
3 to 4 years	18.0
5 years and over	21 2
Miscellaneous	0.2

Have you ever received unemployment insurance? (California only.)

	Employed persons 100.0%
Yes	32.2%
No	67.8

(If yes) for how long a period of time did you receive benefits the last time?

	Employed persons (32.2)
Those employed persons who have received benefits	*100.0%*
1 to 4 weeks	38.8%
5 to 9 weeks	24.7
10 to 13 weeks	12 8
14 to 17 weeks	7.8
18 to 21 weeks	6.0
22 to 26 weeks	7.3
27 to 39 weeks	0.5
40 weeks and over	1.0
Don't know	1.1

(If yes) on how many different occasions during the last five years have you received unemployment insurance?

	Employed persons (32 2)
Those employed persons who have received benefits	*100.0%*
None	14.7%
1 time	54.8
2 times	20.6
3	6.8
4	1.0
5	1.0
6	0.8
7 times and over	0.3

(If yes) did the State Employment Service do a poor, fair or good job in trying to get you another job?

	Employed persons (32.2)
Those employed persons who have received benefits	*100.0%*
Poor	47.7%
Fair	25.1
Good	22.4
Don't know	4.8

(If yes) On jobs to which you were referred, did you find that they were jobs for which you thought you were qualified?

	Employed persons (32.2)
Those employed persons who have received benefits	*100.0%*
Yes	33.7
No	35 0
Don't know	31.3

What is the present rate of contribution of your company to the California Unemployment Insurance Fund?

	Employers *100.0%*
Less than 2 percent	11.6%
2 to 2.6 percent	15.9
2.7 percent	67.7
Over 2.7 percent	2 0
Don't know	2.8

Is any method provided for reducing your present rate of contribution?

	Employers *100.0%*
Yes	47.4%
No	28.3
Don't know	24.3

(If yes) how?

	Employers (47.4)
Those employers who know of method for reducing rate	*
By stabilizing employment	43.6%
By reducing number of claims against account (merit rating)	35.9
By building up a reserve	22.2
Don't know	0.9

* Totals to more than 100 percent because of multiple answers.

Have you ever paid a contribution rate less than 2.7 percent?

	Employers *100.0%*
Yes	51.4%
No	42.9
Don't know	5.7

(If yes) for what reasons was the rate increased to present level?

	Employers (51.4)
Those employers whose rate has been less than 2.7 percent	*100 0%*
Recent automatic increase	19.0%
Increased number of claims filed against account	18.1
Low reserve	17.2
Poor employment record for company	17.2
Present rate is still less than 2.7 percent	13.8
Miscellaneous	6.0
Don't know	8.7

What is the normal number of employees in your company?

	Employers 100.0%
1 to 7 employees	41.2%
8 to 49	33.6 *
50 to 99	12.0 *
100 and over	13.2 *

* NOTE: A larger percentage of employers were obtained in these groups to allow for greater stability.

About what percentage of this total is seasonal, and year-around?

Seasonal	*Year-around*	*Employers 100.0%*
0%	100%	70.9%
1– 24%	76– 99%	11.2
25– 49%	51– 75%	7.6
50– 74%	26– 50%	7.2
75– 99%	1– 25%	2.8
100%	0%	0.8
Don't know		0.3

About what is the percentage of labor turnover (terminations) of your total number of employees per year?

	Employers 100.0%
100 percent labor turnover	2.0%
76-99 percent	2.0
51-75 percent	2.8
26-50 percent	9 6
10-25 percent	29 5
1- 9 percent	25.5
0 percent	25.0
Don't know	3 6

Do you give preference to prospective employees whose previous employment was in California?

	Employers 100.0%
Yes	23.7%
No	75.1
Don't know	1.2

Are prospective employees questioned concerning prior unemployment insurance claims made by them?

	Employers 100.0%
Yes	6.8%
No	92.4
Don't know	0.8

Are the reasons for termination of an employee established in writing at the time of leaving?

	Employers 100.0%
Yes	14.5%
No	84.3
Don't know	1.2

Are all claims for unemployment insurance examined to determine whether there is a question of eligibility?

	Employers 100.0%
Yes	81.9%
No	16.5
Don't know	1.6

Do you make it a practice to question or protest all claims whose eligibility is doubtful?

	Employers 100.0%
Yes	68.9%
No	29.9
Don't know	1.2

On what other grounds do you think a protest should be allowed?

	Employers 100.0%
Quit without good cause	6.4%
Refusal to accept work	2.4
Misconduct	2.4
Pregnancy	1.6
Seasonal workers	1.6
If you are not the last employer	1.5
Collecting and working simultaneously	1.2
Quitting to be married	1.2
Being fired on purpose	1.2
Dishonesty	1.2
Miscellaneous	3.6
Don't know—no other grounds suggested	75 7

In your judgment, were your protests given:

		Total	*Yes*	*No*	*Don't know*
Employers	*100.0%*				
Have protested	50.4%				
Have never protested	49.6				
(a) Reasonably prompt consideration		(50.4) 100 0%	80.5%	10 6%	8.9%
(b) Fair and impartial consideration		(50.4) 100 0%	62.6	20.2	17.2

Do you appeal adverse rulings of the claims examiner which you consider unfair?

	Employers
Yes	32.4%
No	63.2
Don't know	4.4

(If no) Why not?

	Employers (63.2)
Those employers who do not appeal adverse rulings	*
Have never had occasion	72.6%
Not worth the time and effort (red tape)	15.1
Claims examiner is unfair	4.8
Too lazy	2.1
Miscellaneous	4.8
Don't know	1.4

* Totals to more than 100 percent because of multiple answers.

Do you consider your local California Employment Office a good source for securing new employees for each of the following classifications?

Employers	*Professional and managerial* 100.0%	*Clerical and sales* 100.0%	*Service* 100.0%	*Skilled* 100.0%	*Semi-skilled* 100.0%	*Unskilled* 100.0%
Yes	24.0%	44.4%	45.1%	41.3%	53.4%	57.5%
No	44.6	35 2	26.3	40.3	24.1	19.9
Don't know	31.4	20.4	28.6	18.4	22.5	22.6

(If no) Why not?

	(44.6)	(35.2)	(26.3)	(40.3)	(24.1)	(19.9)
Those employers who say California State Employment Service is *not* a good source for securing new employees	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Poorly qualified referrals	34 3%	49.3%	51.3%	35.2%	42.5%	46.9%
Other sources preferred	20.0	23 2	23.1	9 9	15.0	15.6
Hire through unions	5.7	10.1	17.9	45.1	30.0	28 1
California State Employment Service does not have this type of person	25.7	--	--	--	--	--
Intercompany promotion	8.6	--	--	--	--	--
Alert workers can get job without unemployment insurance	--	8.7	--	--	--	--
Miscellaneous	5.7	8.7	7.7	9.8	12.5	9.4

About what percentage of your new employees are obtained through the California State Employment Service?

	Employers 100.0%
51–100 percent	4.0%
11– 50 percent	11.2
1– 10 percent	15.2
0 percent	68 8
Don't know	0.8

If referrals do not *sincerely* seek employment or are *unqualified,* do you report it to the department?

	Employers *100.0%*
Yes	44.9%
No	44.0
Don't know	11 1

Do you notify the Department of Employment when you employ a person who has been drawing unemployment insurance?

	Employers *100.0%*
Yes	35.7%
No	61.0
Don't know	3.3

About what is the average number of claims paid per week by the Department of Employment?

Up to 10,000	6.0%
10,001 to 100,000	2.0
100,001 to 200,000	2.4
200,001 and over	2.8
Don't know	86.8

Do you believe that an excessive number of claims for disability insurance are being allowed?

	Employers *100.0%*
Yes	12.0%
No	37.8
Don't know	50.2

(If yes) why?

	(12.0)
Those employers who believe an excessive number of claims are being allowed	*100.0%*
Fraudulent claims	50.0%
Poor investigation	14.3
Insufficient legislation	10.7
Insufficient personnel	7.1
Miscellaneous	14 3
Don't know	3.6

(If no) why not?

	Employers (37.8)
Those employers who do *not* believe an excessive number of claims are being allowed	*100.0%*
Fund is better protected (good administration)	34.4%
M.D.'s certificate is required	24.6
Personal experience	18.0
Employees claims are honest	6 6
Employees lack of knowledge of act	3.3
Due to private disability insurance carried by some companies	3.3
Don't know	9.8

Do you believe that any large number of claims are being paid for excessive periods of time?

	Employers *100.0%*
Yes	21.9%
No	23.9
Don't know	54.2

Have you (or executives of your company) attended informational meetings held by the Department of Employment on unemployment insurance?

	Employers 100.0%
Yes	10.0%
No	89.6
Don't know	0.4

What do you do (if anything) to keep your employees informed concerning the purposes of the Unemployment Insurance Act, and eligibility for claims thereunder?

	Employers *
Post information received	53.4%
Information circulated	9.6
Verbally informed, meetings	8.0
Informed on termination of employment	2.0
Refer employees to department	0.8
Union given information to distribute	0.8
Miscellaneous	1.2
Nothing	29.5

* Totals to more than 100 percent because of multiple answers.

In the light of your experience with the unemployed, what changes would you recommend?

	Department managers
Number of interviews	*29* *
Should have more uniform laws throughout the State	1
Invoke a rule of finality in regard to eligibility and ineligibility and clarify the terms "equity" and "good cause"	2
Must find a way of determining real labor market	1
Law is changed too often by Legislature, there is no possibility of establishing precedents	1
A revision of the act based upon experiences of local department offices	1
Modifications to toughen drawing of unemployment insurance	1
Clarification and elimination of the ambiguity of the laws	1
Put some real teeth into the disqualifying provisions	1
Claimants should begin to draw benefits from the first day of filing	1
Closer delineation between disability and unemployment insurance	1
Simplify and have less forms	1
More personnel for better screening	1
Present requirement that one must seek work has caused more trouble than any other phase of our work. It should be clarified	2
Employers don't cooperate with department in policing the law	1
Any time a claimant removes himself from the labor market, the claimant should prove his availability by subsequent employment and earnings of at least four times his weekly benefit amount. (As done in Washington)	1
Penalty time should be deducted from total payments to make it effective	1
Unemployment insurance for seasonal workers should be limited to work season	7
Changes in regard to "trade disputes"	1
Write clearly into act that pregnant persons not eligible	2
A stricter enforcement of the act that pertains to misconduct and discharges	1
Trade disputes should be in effect one month before claims can be presented	1

* Totals to more than 29 interviews because of multiple answers.

	Department managers
Voluntary job quitters should not be paid any benefits	1
More complete coverage of agricultural and government claimants	1
Acts of misconduct and voluntary quitting should be penalized more	1
Don't know	1

Do you believe coverage under the Unemployment Insurance Act should be extended?

	Department managers
	100.0%
Yes	93.1%
No	6.9

Who do you think *should* contribute to the California Unemployment Insurance Fund? Why?

	Department managers
	(51.8)
Both employer and employee—because	*100.0%*
Equalizes responsibility	35.8%
Both benefit, both concerned	28.6
When employee contributes he is careful to watch for chiseling	21.4
Miscellaneous	14.2
	(3.4)
Employer, employee and State Government—because	*100.0%*
Increases fund	100.0%
Employee only	--
	(41.4)
Employer only—because	*100 0%*
Employee cannot contribute toward unemployment insurance and disability insurance both	25.0%
Stabilizes employment	25.0
Removes employee feeling that it is his money	25 0
Makes law more effective	16 7
Miscellaneous	8.3
	(3.4)
State Government only—because	*100.0%*
Would result in an efficient reserve system	100.0%

Do you consider that adequate investigation is made of every claim?

	Department managers
	100.0%
Yes	37.9%
No	62.1

(If no) Why not?

	Department managers
	(62.1)
Those managers who believe inadequate investigation is made of claims	*
Lack of personnel	83.3%
Lack of time	55.6
Lack of administrative funds	16.7
Miscellaneous	11.1

* Totals to more than 100 percent because of multiple answers.

Among employers, which would you say are doing the best job in cooperating with the department in handling claims for unemployment insurance? Those with:

	Department managers *
1 to 5 employees	3.4%
6 to 10 employees	6.9
11 to 50 employees	13.8
51 to 100 employees	10.3
Over 100 employees	86 2
Don't know	3 4

* Totals to more than 100 percent because of multiple answers.

Which of the following types of employers would you say are doing the best job in cooperating with the department in the handling of unemployment insurance claims?

	Department managers *
Manufacturers	65.5%
Retailers	13.8
Transportation	13.8
Service trades	13 8
Public utilities	6.9
Other	13.8
Don't know	6.9

* Totals to more than 100 percent because of multiple answers

About how many out of 10 employers are doing a reasonably good job in keeping informed on the functions of the act?

	Department managers 100.0%
1 out of 10 employers	17.3%
2	37.9
3	3.4
4	6 9
5	13.8
6	--
7	6.9
8	--
9	--
10	--
Don't know	6 9

In your opinion is merit rating a good thing?

	Department managers 100.0%
Yes	75.0%
No	17.9
Don't know	7.1

(If yes) why?

	Department managers (75.0)
Those managers who think merit rating a good thing	*100.0%*
Fosters employer cooperation with department	42.1%
Stabilizes employment	42.1
Saving to the employer	15.8

(If no) why not?

	Department managers
Those managers who think merit rating is *not* a good thing	(17.9)
Number of interviews	5
Causes unreasonable protests by employer	2
Employers attempt to force employees to quit rather than dismiss them	1
Gives advantage to large employers	1
Penalizes employer whose business is seasonal	1

Would you say that the labor unions are doing a poor, fair or good job in cooperating with the department in:

Department managers	*Total*	*Good*	*Fair*	*Poor*	*Don't know*
(a) Disseminating information regarding the act	100.0%	37.9%	41.4%	13.8%	6.9%
(b) Referring their members to the department for jobs	100.0	18.5	33.3	40.7	7.5
(c) Helping to prevent chiseling on the fund	100.0	34 5	27.6	27.6	10.3

Do you think it would be a good thing for an employer to question a prospective employee regarding prior unemployment insurance claims?

	Department managers 100.0%
Yes	7.1%
No	92.9

(If yes) why?

	Department managers
Those managers who believe in questioning regarding prior unemployment insurance claims	(7.1)
Number of interviews	2
Would reveal stability of worker	2

(If no) why not?

	Department managers (92.9)
Those managers who do *not* believe in questioning regarding prior unemployment insurance claims	*100.0%*
Would not correctly determine ability for job	75 0%
None of employers business	20.8
Miscellaneous	4 2

Do you think it would be a good thing for an employer and employee to establish in writing reasons for leaving employment?

	Department managers 100.0%
Yes	82.1%
No	17.9

(If yes) why?	*Department managers* (82.1)
Those managers approving of written reasons for leaving employment	*100.0%*
Lessen work of department	40.0%
Aid in determining eligibility	35.0
Lessen arguments	10.0
Clarify reason for termination for both parties	10.0
Miscellaneous	5.0

(If no) why not?	*Department managers*
Those managers *not* approving of written reasons for leaving employment	(17.9)
Number of interviews	5
Involve too much paper work	2
Resembles slavery	1
Encourage conspiracy in order to draw benefits	1
Would blacklist many without good cause	1

In your opinion, are there added grounds, other than those presently provided under the act, on which you believe protests of claims should be allowed?

	Department managers 100.0%
Yes	17.2%
No	79.3
Don't know	3 5

(If yes) what are they?	*Department managers*
Those managers suggesting other grounds of protest	(17.2)
Number of interviews	5 *
Pregnancy	2
Misrepresentation by employee when being hired	1
Refusal to take job	1
Too narrow a range of suitable jobs	1
When employee deliberately has himself fired	1

* Totals to more than five interviews because of multiple answers.

In your opinion, about how many out of 10 claims are not protested when there may have been good grounds for so doing?

	Department managers 100.0%
None	3.4%
1 out of 10 claims	20.7
2	13.8
3	10.3
4	3.4
5	20.7
6	--
7	3.4
8	6.9
9	3.4
10	--
Don't know	14.0

Why do you think they were not protested?

	Department managers *
Lack of employer cooperation	67.9%
Lack of knowledge of act	25.0
Employer desire to retain good relationship with employees	10.7
Don't know	10.7

* Totals to more than 100 percent because of multiple answers.

Do you consider that adequate investigation is made of every protest filed by an employer?

	Department managers 100.0%
Yes	86.2%
No	13.8

(If no) Why not?

	Department managers
Those managers who consider an inadequate investigation is made	(13.8)
Number of interviews	4 *
Lack of personnel	2
Lack of time	1
Lack of investigative facilities	1
Employer and employee are contacted by phone, therefore, must accept one of their statements as true	1

* Totals to more than four interviews because of multiple answers.

About how many out of 10 employees do you think depend upon the employment service to secure jobs?

	Department managers 100.0%
1 out of 10 employees	10.7%
2	21.4
3	32.2
4	7.1
5	7.1
6	--
7	3.6
8	10.7
9	--
10	--
Don't know	7.2

In your opinion, is there now a serious threat to the stability of the fund without an increase in the rate of contribution?

	Department managers 100.0%
Yes	62.1%
No	34.5
Don't know	3.4

(If yes) Which of the following are serious threats?

	Department managers (62.1)
Those managers who believe there is a serious threat	*
Failure of employer to protest claims	61.1%
Reduction in revenue due to application of employees' contribution to disability	33.3
Chiseling	33 3
Employee's misconception of their right to fund	27.8
Too broad a coverage	11.1
Inadequate administration	11.1
Merit rating	11.1
Miscellaneous	44.4

* Totals to more than 100 percent because of multiple answers.

In general, would you say that any such danger to the fund arises out of the present attitude of the:

	Department managers *
Employer	46.4%
Employee	42.9
State Department of Employment	3 6
Other	17.9
Miscellaneous	3 6
No danger	7 2
Don't know	14.3

* Totals to more than 100 percent because of multiple answers.

Do you feel that there is much widespread public criticism of the Department of Employment?

	Department managers *100.0%*
Yes	55.2%
No	41.4
Don't know	3.4

(If yes) What do you think is the chief reason for this criticism?

	Department managers (55.2)
Those managers who believe there is public criticism	*100 0%*
Lack of understanding of act	78.6%
Human nature to criticize	14.3
Miscellaneous	7.1

(If yes) Who, or what is blamed?

	Department managers (55.2)
Those managers who believe there is public criticism	*
Administration within department	58.3%
Employer lack of information	25 0
Government inefficiency	16.7

(If yes) What in your opinion can be done to lessen this criticism?

	Department managers (55.2)
Those managers who believe there is public criticism	*
Educate public	62.5%
Public relations improvement	12.5
Miscellaneous	25.0
Don't know	6.3

* Totals to more than 100 percent because of multiple answers

Interviewer asks to see manual covering unemployment insurance amendments, rulings, interpretations, procedures, etc., then asks the following questions:

Have all bulletins relating to these matters to date been posted in the manual?

	Department managers 100.0%
Yes	96.6%
No	3.4

(If no) How far behind are postings?

	Department managers
Those who are behind on posting	--
Number of interviews	1
Two days	1

How many such amendments, rulings, decrees, etc , have been issued within the last two months?

	Department managers
Number of interviews	28
15	1
19	1
20	1
21	2
23	1
25	2
26	1
29	1
30	2
40	1
55	1
73	1
100	1
120	1
Don't know	11

How do you keep abreast of changes?

	Department managers *
Reading (bulletin board)	64 3%
Staff meetings (training)	53 6
By department procedure of distributing and filing amendments, etc.	7.1
Miscellaneous	3.6

* Totals to more than 100 percent because of multiple answers.

Are you and all members of the staff kept properly familiar with all changes as they occur?

	Department managers
	100.0%
Yes	100.0%
No	

What procedure is followed in advising the entire staff of these changes?

	Department managers *
Staff meetings	93.1%
Reading	37.9
Supervisory training	10.3

* Totals to more than 100 percent because of multiple answers.

FINAL REPORT TO THE LEGISLATURE, 1951 REGULAR SESSION, ON RIDING AND HIKING TRAILS, BY THE ASSEMBLY INTERIM COMMITTEE ON STATE-WIDE RIDING AND HIKING TRAILS DEVELOPMENT

Created Pursuant to House Resolution No. 237

Members of the Committee

JOHN F. THOMPSON, Chairman
RICHARD J. DOLWIG
EVERETT G. BURKHALTER
L. STEWART HINCKLEY
RANDAL F. DICKEY
G. A. SPAULDING, *Executive Secretary*

LETTER OF TRANSMITTAL

January 8, 1951

Honorable Sam L. Collins
Speaker of the Assembly
California State Legislature

DEAR MR. SPEAKER: Pursuant to House Resolution No. 32 of the 1950 Session of the Legislature, your Interim Committee on State-wide Riding and Hiking Trails Development was organized, and does hereby submit its final report. Because of the fact that no money was appropriated for this committee, only one meeting was held and a very thorough study was made.

A full report by the Division of Beaches and Parks on the development of riding and hiking trails was made by General Warren T. Hannum, Director of the Department of Natural Resources, and other representatives of his department.

Members of various riding and hiking clubs were also heard and their desires as to future developments of the State-wide Trails System are included in this report, together with the committee's recommendations.

The committee is indebted to the Legislative Auditor and to the Division of Beaches and Parks and members of their staff for their cooperation and assistance in the preparation of this report.

Respectfully submitted,

JOHN F. THOMPSON, Chairman
RICHARD J. DOLWIG
EVERETT G. BURKHALTER
L. STEWART HINCKLEY
RANDAL F. DICKEY

RESOLUTION CREATING COMMITTEE

By Messrs. Thompson, Dolwig, and Dickey:

House Resolution No. 32

Relative to the creation of the Assembly Interim Committee on State-wide Riding and Hiking Trails Development

WHEREAS, It is the public policy of the State to promote the conservation, development, and use of the natural resources of this State for the purposes of health, recreation, and protection against fire and other hazards; to increase the accessibility and encourage the use of such natural

resources by the residents of this State and by nonresidents; to provide opportunity for the development of public and private facilities for the service of persons visiting and utilizing the natural resources of the State; to encourage increase in horseback riding and hiking as an influence for the health of the people; and to make more readily accessible the scenic wonders of the State by providing for the establishment, development, maintenance, and use of a state-wide system of riders' and hikers' trails; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State-wide Riding and Hiking Trails Development is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the establishment, development, maintenance, and use of a state-wide system of riders' trails, either separately from or in conjunction with a system of hikers' trails, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it was created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

SENATE BILL NO. 630

CHAPTER 1469

An act to add Article 6, comprising Sections 5070 to 5077, inclusive, to Chapter 1 of Division 5 of the Public Resources Code, authorizing the State Park Commission and the Department of Natural Resources to make investigations, reports, recommendations and plans for the location and development of a State Trails System and to establish an advisory committee for that purpose; and making an appropriation therefor.

[Approved by Governor July 17, 1945. Filed with Secretary of State July 17, 1945.]

The people of the State of California do enact as follows:

SECTION 1. Article 6, comprising Sections 5070 to 5077, inclusive, is added to Chapter 1 of Division 5 of the Public Resources Code, to read:

Article 6. California Riding and Hiking Trails

5070. This article shall be known and may be cited as the California Riding and Hiking Trails Law.

5071. It is hereby declared to be the public policy of this State and the purpose of this act to promote the conservation, development, and use of the natural resources of this State for purposes of health, recreation, and protection against fire and other hazards; to increase the accessibility and encourage the use of such natural resources by the residents of this State and by nonresidents; to provide opportunity for the development of public and private facilities for the service of persons visiting and utilizing the natural resources of the State; to encourage increase in riding and hiking as influences for the improvement of the health of the people; and to provide for the establishment, development, maintenance and use of a state-wide system of riders' and hikers' trails.

The conclusions and recommendations in the report of the Riding and Hiking Trails Projects Committee of the Reconstruction and Reemployment Commission submitted to said commission are adopted in principle.

5072. As used in this article, the following terms have the meanings attributed to them in this section, unless the context otherwise requires:

"Trails" means riders' and hikers' trails for public use.

"California Riding and Hiking Trails Project" otherwise referred to in this article as the "project" means any work or undertaking to:

(a) Plan, chart, map or survey any trail area.

(b) Acquire land for the building of trails.

(c) Provide for the project, which may include buildings, equipment, recreational facilities, rest stations, shelters, and other real or personal property with necessary, convenient, or desirable appurtenances, including water service, camp site preparation, together with administrative, recreational, educational, and publicity services, including the issuance for public use of trail maps and bulletins, and all other purposes related thereto.

"Committee" means the California Riding and Hiking Trails Advisory Committee.

5073. The provisions of this article shall be administered by the Division of Beaches and Parks under the supervision of the Director of Natural Resources in accordance with policies established by the State Park Commission. The State Park Commission may appoint an advisory committee to be known as the California Riding and Hiking Trails Advisory Committee, to consist of six members, two from the northern, two from the southern, and two from the central portion of the State, selected from lists submitted upon invitation by the Park Commission by appropriate civilian organizations interested in the establishment and use of a State Trails System.

5074. The terms of members of the committee are temporary and at the pleasure of the commission. No member shall serve for longer than permitted by Section 6, Article XXIV, of the State Constitution. Members shall serve on an intermittent basis and shall be deemed to be in the service of the State only on days during which they attend committee meetings and travel to and from them. Each member of the committee shall receive his necessary expenses, including traveling expenses, incurred in discharge of his duties. Meetings of the committee shall be limited to twelve in any one fiscal year. The commission shall abolish the committee when in its opinion the services thereof are no longer required.

5075. The State Park Commission may accept on behalf of the State grants and ask financial assistance for or in aid of the project.

5076. The committee shall investigate all matters pertaining to the proposed project and shall annually prepare a report on these matters and forward it to the State Park Commission in time for the commission to incorporate it in the annual report of the commission to the Governor concerning the State Park System.

5077. The right of eminent domain may not be exercised to acquire property, any interest in property, or use of any property for the trails contemplated pursuant to this article.

SEC. 2. Out of any money in the State Park Fund, not otherwise appropriated, the sum of twenty thousand dollars ($20,000) is hereby appropriated to the Division of Beaches and Parks to be expended in carrying out the purposes of this act.

SENATE BILL NO. 70

CHAPTER 112

An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

[Approved by Governor March 10, 1946 Filed with Secretary of State March 11, 1946.]

The people of the State of California do enact as follows:

SECTION 1. Out of any money in the State Park Fund not otherwise appropriated, the sum of three hundred thousand dollars ($300,000), or so much thereof as may be necessary, is hereby appropriated to the Division of Beaches and Parks to be expended in the establishment and development of the California Riding and Hiking Trails Project as provided in the California Riding and Hiking Trails Law. So much of the moneys appropriated by this act as shall be necessary, and approved by the Director of Finance, therefor shall be available for the support of the Division of Beaches and Parks in carrying out the purposes of this act.

SEC. 2. The appropriation herein is made subject to both of the following conditions:

(a) That all land, easements, and rights of way acquired with moneys appropriated by this act or the proceeds thereof shall constitute a part of the State Park System.

(b) That all of the powers and duties of the State Park Commission and of the Chief of the Division of Beaches and Parks with respect to State parks and recreational areas shall be applicable to the establishment and development provided for through moneys appropriated by this act or the proceeds thereof.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Increasing land utilization for homes and increasing land values resulting from the increasing population and development of this State makes the acquisition of rights of way and construction of a riders' and hikers' trails system increasingly difficult and costly.

In order to provide a reservoir of employment for the building crafts and unskilled labor, against the inevitable time when such employment must be provided to augment the employment furnished by private enterprise, it is necessary that funds be made available at once to finance these preliminary steps before the time at which said employment must be immediately available for the welfare of the State.

The lack of suitable outdoor recreational facilities for the public makes the development of such a system more vital than ever before. In order that this development may take place at the earliest possible date, keeping always in mind the objective also of providing employment, and securing to the people of the State of California the outdoor benefits to be derived therefrom, it is essential that this act take effect immediately

INTRODUCTION

The Committee on Riding and Hiking Trails held its only meeting on August 10, 1950, in the State Building in San Francisco, which was attended by representatives of the Department of Natural Resources and many members of the various riding and hiking clubs in California.

Because of the fact that no moneys were appropriated for this committee this was the only meeting held during the interim, but the committee feels that a very thorough and comprehensive outline of what the Division of Beaches and Parks has done and is doing was obtained.

In 1945, the Governor approved Senate Bill No. 630, Chapter 1469, appropriating $20,000 out of the State Park Fund to the Division of Beaches and Parks to promote the conservation, development and use of the natural resources of the State for the purposes of health and recreation, and to encourage increase in riding and hiking as an influence for the improvement of the health of the people; and to provide for the establishment, development, maintenance and use of a state-wide System of Riders' and Hikers' Trails.

Again in 1946, Senate Bill No. 70 was introduced and approved by the Governor, and became Chapter No. 112. This act appropriated out of the State Park Fund the sum of $300,000 to the Division of Beaches and Parks, which was to be expended in the establishment and development of the Riding and Hiking Trails Project as provided in the California Riding and Hiking Trails Law. Subsequently, in 1947, Chapter 486 appropriated an additional $100,000 for the establishment and development of riding and hiking trails out of the State Park Fund. Chapter No. 2 of the 1950 Session of the Legislature appropriated out of the Postwar Employment Reserve $100,000, making a grand total of $520,000 appropriated out of the State Park Fund to the Division of Beaches and Parks for the development and maintenance of riding and hiking trails. On August 31, 1950, there had been a total expenditure of $224,240.88. (See Statement of Appropriations and Expenditures as prepared by the Legislative Auditor.)

Statement of Appropriations and Expenditures
Riding and Hiking Trails to August 31, 1950

Appropriations	*Amount*	*Total expended*	*Salaries and wages*	*Operating expenses*	*Equipment*	*Rights of way and title insurance*	*Construction and improvement*	*Amount reverted*	*Allocated but not expended*	*Unallocated surplus*
1. Chaper 486/1945 Investigation, reports, plans State Trails System. State Park Fund	$20,000.00	$18,720 73	$10,648.04	$5,208.46	$2,864.23	----	----	$1,279.27	----	----
2. Chapter 486/1947 "Budget Act" Item 232 Establishment and development of Riding and Hiking Trails, State Park Fund	100,000.00	29,344.83	11,564.43	3,393.64	----	----	$14,386.76	70,655.17	----	----
3. Chapter 112/1946 Establishment Riding and Hiking Trails, State Park Fund. Amended Ch. 23/1948	300,000.00	132,492.23	22,903.98	10,156.98	18,315.75	$1,934.50	79,181.11	Not revertible	$160,764.35	$6,743.33
4. Chapter 2/1950 "Budget Act." Item 457, Postwar Employment Reserve	100,000.00	No actual expenditures to above date				----	----	Revertible end fiscal year	39,420.00	60,580.00
5. Support appropriations made to Division of Beaches and Parks and Parks Budget Acts of 1949 and 1950. No specific amounts for Riding and Hiking Trails		43,683.00 Estimated	33,168.00 Estimated	10,515.00 Estimated	----	----	----	----	----	----
Total specific appropriations	$520,000.00									
Total expenditures		$224,240.88	$78,284.45	$29,274.08	$21,179.98	$1,934.50	$93,567.87			

Prepared by Legislative Auditor, September 20, 1950

FOREWORD

It is not possible to estimate with any degree of accuracy the pro-rata share of divisional and departmental administrative and supervisory costs that would be applicable to the Riding and Hiking Trails Program. However, it might be pointed out that in the Budget for the 1949-50 Fiscal Year total expenditures by the Division of Beaches and Parks for administrative purposes was equal to approximately 11 percent of all other support expenditures of the division. Consequently, it might logically be assumed that the cost of administration for the expenditure of $224,240 on behalf of the Riding and Hiking Trails Program would be approximately 11 percent of that figure, or $24,500.

According to the report made by the Division of Beaches and Parks, it was brought to the attention of the committee that the following expenditures for construction of riding and hiking trails were made through July 31, 1950:

Contra Costa County	$19,816.50
Los Angeles County	27,058.64
San Diego County	20,076.67
Butte—Plumas County	23,397 15
Making a total of	$90,348.96

It will be noted that in Contra Costa County 19½ miles of trail have been constructed at an average cost of $1,016.23 per mile. In Los Angeles County where 83 miles of trail have been constructed, the average cost per mile was only $326. San Diego with 48¼ miles has an average cost of $416.09 per mile, and in Butte-Plumas Counties 35 miles have been constructed at an average cost of $668.49, making a grand total of 185¾ miles of constructed trails at an average cost of $486.40 per mile. It was further brought to the attention of the committee by the Division of Beaches and Parks that there are various items of construction in all of the above areas which will require some additional expenditures; for instances, another $500 or $600 in Contra Costa County for additional signs, and the same in Butte-Plumas Counties. But for the most part, unless extensive changes are made, the cost figure per mile will not change appreciably. Costs thus far are well in line with the original expectations, as estimates range from $480 to $800 per mile, exclusive of right of way.

There is a great deal of trail in Butte-Plumas Counties and in Yuba County which, upon completion of contemplated construction projects fall into the trail adding a lot of mileage at very low cost. It is fully expected that upon completion of the whole Butte-Plumas area trail the average cost per mile will come down very close to that now reported in Los Angeles County, which will also lower the over-all average considerably. Following are expenditures for riding and hiking trails from July 1, 1945, to June 30, 1950, as prepared by the Division of Beaches and Parks:

Expenditures for Riding and Hiking Trails From State Park Funds
From July 1, 1945, (97th F. Y.) to June 30, 1950

Paid from	Total	Salaries and wages	Operating expenses	Equipment includes construction equipment	Rights of way and title insurance	Improvement and construction trails, fences, bridges gates, drainage, structures—detail attached
(1) Appropriation for investigation reports, recommendations and plans for location and development of a state trails system, Chapter 1969/45—State Park Fund	$18,720.73	$10,648 04	$5,208.46	$2,864.23	------	------
(2) Appropriation for establishment and development of riding and hiking trails, Item 232, Chapter 486/47—State Park Fund	29,344.83	11,564.43	3,393 64	------	------	$14,386.76
(3) Appropriation for establishment and development of riders and hikers trails, Chapter 112/46—State Park Fund	125,112.41	22,903.98	10,156.98	18,315.75	$1,909.50	71,186.20
Totals, Expenditures for Riders and Hikers Trails from State Park Fund	$173,177.97	$45,116.45	$18,759.08	$21,179.98	$1,909.50	$85,572.96

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to June 30, 1950

Acct. No.	Name of Project	From Item 232, Ch 486/47	From Ch 112/46	Total
	Contra Costa County			
P112.2 1	Mt. Diablo State Park	------	$402.54	
2	Mt. Diablo State Park to Cemetery Rd.	------	2,173.63	
3	Cemetery Road to Contra Costa Canal	------	3,990.82	
4	Contra Costa Canal	------	707.04	
5	Contra Costa Canal to Railroad Avenue-Concord	------	923.81	
6	Railroad Avenue-Concord Contra Costa Golf Club	------	3,174.90	
7	Contra Costa Golf Club to Vine Hill Road	------	3,772.16	
8	Vine Hill Road to Muir Station	------	1,078.78	
9	Muir Station to Martinez	------	3,592.82	
	Total Contra Costa County	------	$19,816 50	$19,816.50
	Los Angeles County			
P232.3 1	Angeles National Forest, South Half	$9,886.76		
112 3.1	South Fork, Rock Creek to Buckhorn			
1A	Buckhorn to Three Point	------	$3,736.01	
2	Angeles National Forest-South Half to North Half	------	3,141.16	
3	Merit Canyon to Bouquet Road	------	2,717.37	
4	Bouquet Road to Munz Ranch	------	2,405.62	
5	Munz Ranch to Fairmount Reservoir	------	2,985.18	
6	Campground Development, South Fork Rock Creek	------	------	
7	Fairmount Reservoir to Kern Co.	------	7.50	
8	Campground Development, Sierra Pelona	------	------	
	Total Los Angeles County	$9,886 76	$14,993.74	$24,880 50
	San Diego County			
P112 5 1	Mexican Border to NS 154	------	$925.69	
2	NS 154 to Dog House Junction	------	61.67	
3	Dog House Junction to Highway 94	------	1,302.11	
4	Highway 94 to Hollenbeck Canyon	------	1,349.00	
5	Hollenbeck Canyon to Junction OS 115 and Beaver Hollow Road	------	6,037.28	
6	Junction OS 115 and Beaver Hollow Road to OS 59	------	451 83	
7	OS 59 to Cuyamaca Rancho State Park	------	3,733.84	
8	Cuyamaca Rancho State Park North Half O. E.	------	482.54	
8	Cuyamaca Rancho State Park North Half S. & W.	------	1,319.58	
9	Cuyamaca Rancho State Park South Half O. E	------	354 19	
9	Cuyamaca Rancho State Park South Half S. & W.	------	1,501.12	
10	Cuyamaca Rancho to Banner	------	------	
11	Cuyamaca Rancho to Warner	------	------	
P112 5 12	By Pass of Highway 80 Freeway	------	------	
12	By Pass of Highway 80 Freeway S. & W.	------	359.96	
	Total San Diego County	------	$17,878.81	$17,878.81
	Butte-Plumas County			
P112 4 1	Robinson's Mill to Buck's Lake	$4,500.00	------	
9 1	John Taylor Trail	------	$3,999.78	
2	Hartman's Bar Trail	------	3,998.83	
3	Hartman's Bar Campsite	------	2,507.82	
4	Green Flat to Hartman's Bar	------	3,997 89	
5	Green Flat Sector	------	2,997.69	
6	Three Cakes Sector	------	995.14	
	Total Butte-Plumas County	$4,500.00	$18,497.15	$22,997.15

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to June 30, 1950

Acct. No.	*Name of Project*	*From Item 232, Ch 486/47*	*From Ch 112/46*	*Total*
	Yuba County			None
P112.10 1	Dobbins to Challenge	------	------	
2	Challenge to Lost Creek	------	------	
3	Lost Creek Crossing	------	------	
4	Lost Creek to Lumpkin Road	------	------	
5	Lumpkin Road to Feather Falls	------	------	
6	Signs for sector	------	------	
	Total Yuba County	------	------	
	San Bernardino County			None
P112 11.1	San Bernardino Forest to Applewhite	------	------	
2	Applewhite to Cajon	------	------	
3	Cajon to Crowder Canyon	------	------	
4	Crowder Canyon to Los Flores	------	------	
5	Los Flores to Arrowhead	------	------	
	Total San Bernardino County	------	------	
	El Dorado County			None
P112 12 1	Placerville to Chili Bar	------	------	
2	Chili Bar to Coloma	------	------	
3	Signs for balance of county	------	------	
	Total El Dorado County	------	------	
	GRAND TOTAL EXPENDITURES FOR IMPROVEMENTS, AND CONSTRUCTION OF Trails, Fences, Bridges, Gates, Drainage Structures	$14,386 76	$71,186 20	$85,572 96

Following is the requested Progress Report submitted to the committee by the California State Riding and Hiking Trails Advisory Committee:

1. At this time it is desired to review the legislation, organization, methods of operation, construction progress and financial status of the state-wide riding and hiking trails project It is believed that a thorough review of what has passed and a consideration of further steps to be taken on this project, including operation and maintenance, is in order.

LEGISLATION

2. The Riding and Hiking Trails project was adopted by the Legislature (Chapter 1469, Statutes of 1945). It is known as the California State Riding and Hiking Trails Law. This law set forth the purposes of the legislation, designated the name of the project, provided that the project should be administered by the Division of Beaches and Parks under the supervision of the Director of Natural Resources in accordance with policy approved by the State Park Commission. It provided that the State Park Commission might appoint an advisory committee of six members—two from the northern, two from the southern and two from the central portion of the State. It authorized the State Park Commission to accept grants on behalf of the State and asked for financial assistance for, or in aid of, the project and stated that the right of eminent domain might not be exercised to acquire property, any interest in property, or use of any property of the trails contemplated thereunder.

It appropriated some $20,000 to be expended in carrying out the purpose of the legislation.

3. In 1946, the Legislature made all property acquired or to be acquired under the California State Riding and Hiking Trails Law a part of the State Park System. In the same legislation, (Chapter 112, Statutes of 1946) $300,000 was appropriated for the establishment and development of the trails project Other appropriations were made in 1947 and 1950 in the amount of $100,000 each. Of the $520,000 thus appropriated, $1,279.27 and $70,655.17 under Chapter 1469, Statutes 1945 and Chapter 486, Statutes 1947, respectively, were not expended and reverted to the General Fund. In addition to these funds, certain expenditures from the support budgets of the Division of Beaches and Parks have been made for salaries and wages, travel and miscellaneous expenses. A complete accounting of these funds is not practical at this time. An estimate of the same is given on the attached financial statement showing the status of all funds as of August 31, 1950, (Table I). Table II gives the expenditures by projects for construction only.

ADVISORY COMMITTEE

4. On December 5, 1945, the State Park Commission appointed the six members of the advisory committee. Changes in the personnel have taken place since that date as shown in the following summary:

John M. Diggs ..... December 5, 1945 to date
Hamilton McCoy ..... December 5, 1945 to April 8, 1949
Paul F. Seiersen ..... December 5, 1945 to December 20, 1946
Virgil Jorgenson ..... December 5, 1945 to May 21, 1950
Edward M. Fellows ..... December 5, 1945 to April 8, 1949
Kent Weaver ..... December 5, 1945 to date
Arthur Johnson ..... January 31, 1947 to date
Roscoe Hazard ..... April 8, 1949 to date
Dan Beebe ..... April 8, 1949 to date

Mr. John M. Diggs served as chairman of the committee from its first meeting on December 5, 1945 to May 31, 1949, at which time it was decided that the term of office of the chairmanship should be for one year only. Mr. Kent Weaver served from June 4 to August 10, 1950. Mr. Arthur Johnson became vice chairman on June 4, 1949 and chairman August 10, 1950. Mr. Dan Beebe became vice chairman August 10, 1950.

5. Immediately after the appointment of the committee, it met and considered many of the methods and procedures to be used furthering the project. It was decided that the cooperation of the riding and hiking groups and of the county officials of the 36 counties through which the trail was to pass would be essential to the success of the project. The original general route of the trail had in general been determined by the interested horsemen working through a committee constituted of the same members as were subsequently appointed to the advisory committee. Prior to the approval of the law, this committee had drawn up a brochure setting forth the general location and many policies which it hoped would be followed if the bill creating the trail became law.

6. At the time of its first meeting, an employee of the division was assigned by the chief of the division to work with the advisory committee

in furtherance of the program. Shortly thereafter, steps were taken to obtain the names of interested parties in each of the counties through which the trail passed as shown in the above mentioned brochure. Operating through the California Horsemen's Association, the names of one or two men in each of the majority of the 36 counties were furnished to the Division of Beaches and Parks. A general letter was sent to each by the chairman of the advisory committee requesting him to serve as temporary chairman of a committee in his county, pending the appointment of a permanent committee. It was recommended that the committee in each county be composed of representatives from the riding and hiking organizations, from the county surveyor's office and from the State or Federal Forest Supervisor or Fire Warden. The committees were requested to make a survey to determine the desirable location of the trail through the county and to coordinate with the adjacent counties as to the point of entry to and exit therefrom. It was then requested that these committees obtain approval of the plan by the board of supervisors and submit the same with estimate of cost to the Division of Beaches and Parks for the approval of the State Park Commission. The results of this action were fairly encouraging to the advisory committee. In most instances, however, the plan had no estimates of cost and had little more than paper locations on a small scale map. They were valuable as an indication of general location of the trail. Ten of these plans were received by the middle of February, 1946. The status of the master plans as of August 31, 1950, is as shown in Table III.

7. At this time and before any detailed investigation of any of the trails could be made, the advisory committee decided to ask for an appropriation from the special session of the Legislature. The Legislature took action upon their request, and by Chapter 112, Statutes 1946, appropriated $300,000 to be expended in the establishment and development of the California riding and hiking trails project.

8. This act of the Legislature immediately changed the functions of the Division of Beaches and Parks and the advisory committee from that of making a survey of the trail to the concurrent one of making the survey and proceeding with the acquisition of land and the construction of the trail. Normally, the survey of the 3,000-mile trail, irrespective of acquisition difficulties, could not have been made properly in less than two to three years.

INVESTIGATIONS, TITLE AND LAYOUT

9. No personnel was immediately available to undertake the investigation. However, one extra man from the division was placed upon this duty. Upon the advice of the advisory committee, investigations were started in Contra Costa, San Mateo and Los Angeles Counties. Tentative trails based upon the recommendations of the San Mateo, Contra Costa and Los Angeles Counties' committees were investigated. The committees in these counties functioned well and had definite ideas as to the location of the trail, although in Los Angeles County, the location proposed was found to be undesirable by one of the members of the advisory committee and a complete new plan and layout at higher elevation adopted. In Contra Costa County, acquisition difficulties promptly arose,

necessitating many relocations and many investigations. Acquisition difficulties in San Mateo County brought the project in that county to a standstill for a period of several years. Investigation and layout of the trail has been continuous throughout the years whenever personnel could be spared from other pressing duties. Layouts and locations have kept ahead of acquisition. Where refusal of property owners has necessitated rerouting, further investigations and relocations are recommended. In all, it is estimated that well over three times as many miles of possible trail have been investigated than will ultimately be utilized in the counties investigated to date.

ACQUISITION

10. During the period from the initiation of this project to July 1, 1947, layout and acquisition were the joint responsibility of the Engineering and Lands Sections of the division. By May of that year, the determination of exact trail location and tentative negotiations for acquisition of easements had indicated that further acquisition personnel was required to make any real progress. From July 1, 1947 to December 31, 1948, all matters with respect to acquisition, up to the point of processing, from the division to the Department of Finance, was under the Engineering Section. Three acquisition officers were obtained and active negotiations of rights of way were begun. Again due to limitations in law upon the use of the right of eminent domain, efforts to acquire property resulted in unsatisfactory progress although many easements in Contra Costa, Los Angeles and San Diego Counties were obtained and forwarded for processing. Gaps still remained in the trail alignment and construction could not be started.

11. On January 1, 1949, all acquisition matters were placed under the Lands Section and control of the three acquisition men already on the rolls were transferred to that section. These men then carried on and have been successful in obtaining the formal easements which had started prior to their transfer. In addition thereto, work has been extended into San Bernardino, Riverside, Kern, San Diego, Plumas, Butte, El Dorado, and Marin Counties.

12. The status of the acquisition program is given in the following report from the Lands Section:

Plumas County

Acquisition completed and the trail has been constructed.

All tracts are situated in Plumas National Forest.

All private land inside forest is being acquired by U. S. Forest Service.

Tehama-Butte (portion)

Total parcels to be acquired unknown. This property is within the Lassen National Forest and all private properties are being acquired by the U. S. Forest Service under cooperative agreement.

El Dorado County

Total parcels to be acquired, forty (40). Due to refusal of three owners to grant a right of way, it may be necessary to reroute entire trail for the third time, again pointing up the costly procedure necessary due to our lack of the right of eminent domain.

Yuba-Butte (portion)

Because of litigation over title to approximately 20 miles of alleged private road over which the trail is routed, the total number of parcels yet to be acquired is unknown. Thus far, there are six known parcels to be acquired.

Marin County

Due to the refusal of various owners and exorbitant demands of others, the only trail we are sure of is between Mt. Tamalpais and Samuel P. Taylor State Parks.

Contra Costa County

Total parcels to be acquired, thirty-five (35). Parcels remaining for acquisition, five (5).

Alameda County

Parcels to be acquired, unknown. Acquisition delayed pending working out of agreement between county and State for use of county roads.

San Mateo County

Total parcels to be acquired, fourteen (14); four in process.
Parcels remaining for acquisition, one (1).

Riverside County

Total parcels to be acquired, one hundred fifty-two (152).
Parcels remaining for acquisition, eighty-eight (88).

Kern County

Total parcels to be acquired, thirty-six (36).
Parcels remaining for acquisition, fifteen (15).

San Diego County

A total of one hundred thirty-five (135) parcels have been acquired. Acquisition is complete in this county.

Los Angeles County

Acquisition complete.

13. To August 31, 1950, rights of way through purchase, gift, easement or use permit had been secured for approximately 608.5 miles of trail, broken down by counties as follows:

	% Complete	*No.* Miles*
San Diego	100	94.5
San Bernardino	90	95.0
Riverside	25	30.0
Los Angeles	100	110 0
Kern	60	70.0
El Dorado	60	42.0
Yuba	70	18.0
Butte-Plumas	90	48.0
Tehama	80	44.0
Contra Costa	50	19.5
Marin	1	0.5
San Mateo	95	37.0
		608.5

*Note These mileages are subject to modification after survey No acquisitions have been made in other counties Gaps in the proposed rights of way exist in many counties, precluding the possibility of construction at this time

CONSTRUCTION

14. From the initiation of the project to June, 1950, the construction has been under the direct supervision of the Engineering Section operating from Sacramento. In June, 1950, the construction in San Diego County was placed under the supervision of the district superintendent of the southern district. The contracts and agreements with the various national forests' supervisors have been and still are being prepared in the Engineering Section. As rapidly as possible, it is proposed that the construction in all counties be made the responsibility of the district superintendents. Contracts with the national forests will be prepared by the Engineering Section and copies furnished to the district superintendents for their information. Detailed inspection of all construction will be by the district superintendents, with general supervision and inspection from Sacramento.

15. Engineering functions in respect to review of new master plans, field investigations of the proposed trails in company with local groups, layout, flagging and determination of structures, fences, gates, etc., to be built, standards of construction, presentation of plans for approval of the State Park Commission will remain the function of the Engineering Section.

CONSTRUCTION

16. Construction has followed closely upon the heels of acquisition. Before construction on any stage of the trail has been initiated, determination was made as to whether the trail met the following qualifications:

(a) Was it satisfactory to the interested parties?
(b) Was it of sufficient length to assure a thoroughly useable portion of trail?
(c) Was acquisition of additional stretches of the trail at each end thereof assured so that no trail would have to be abandoned?
(d) Was there access to a useable portion of trail?
(e) Had the acquisition of all parcels in the entire stretch received the approval of the Department of Finance?

The first satisfactory stretch became available in 1947, followed by a short stretch in Contra Costa, and then in San Diego, Plumas, Butte and San Bernardino Counties. Table IV shows by projects the percentage of completion of each portion of the trail upon which construction has already been initiated or funds therefor allocated. In the notes thereafter are shown also the status as to engineering investigations.

17. Summarizing, it may be said that 193 miles of trail have been completed; 63 miles are practically ready to obligate; 30 miles have been engineered and are in process of being placed under construction and 37 are under construction at the present moment and are expected to be completed by February 1, 1950. Also, it is anticipated that 142 additional miles can be placed under contract or construction by the end of the fiscal year. There are attached hereto 37 maps indicating their status as of August 31. The construction includes some drainage, 58 riders gates, 27 drive gates, two cattle guards, 51,000 feet of barbed wire fence, five 25-foot bridges and one 110-foot bridge.

DESCRIPTION OF TRAIL

18. In order to set forth the status of a project which is in the process of construction and to keep the advisory committee informed, it is proposed to furnish from time to time a description of the trail in each county from the southern end to the north thereof. The first of these descriptions is given in Appendix I, covering only those trails completed or under construction. They give the length, general description and structures erected.

MAINTENANCE

19. Until February, 1950, the maintenance problems in connection with the riding and hiking trail were not serious. The trails constructed to that time were still being patrolled from time to time and final maintenance was being carried on by the construction forces as part of the construction program. The problem of maintenance and patrolling, however, have been the subject of long and serious debate in the meetings of the advisory committee. The occasion for these debates was that the property owners from whom easements or rights of way were being obtained were justly concerned as to the standard of construction, the frequency and thoroughness of patrol and the effectiveness of such patrol. The owners recognized the dangers from the users of the trail in disturbing cattle, creating nuisances and causing fires. Regulations for the use of the trail, visualizing all of these factors, were drawn up and approved by the advisory committee and the State Park Commission. In view of those discussions, visualizing the necessity for maintenance, personnel for those duties were requested in the 1949-50 Budget, together with the equipment necessary for their proper operation. State rangers were obtained and have gained considerable experience in connection with the maintenance and patrolling of the trail. It is as yet too early to definitely state the number of rangers required for the project. In fact, the number of rangers required in different localities varies greatly with the type of terrain, the character of the developments on each side thereof and the use that is made of the trail. Certain portions of the trail will be very heavily used. Other portions will receive little use, especially at certain periods of the year. The maintenance required in the summer time will generally be considerably less than that in the early and late spring when the grass and weeds are growing rapidly and must be cut prior to the fire hazard season. It is proposed that the maintenance of the trails in the national forests be covered under agreements with the individual forests. Extensive stretches of the trail will lie in such forests. As yet, the exact mileage lying within the boundaries of the national forests and outside thereof cannot be definitely determined. It will probably be in the neighborhood of 50 percent within and 50 percent without the boundaries of the forest.

From the short experience so far gained, it is believed that the average trail that can be covered adequately by one ranger is from 30 to 60 miles, depending upon location, terrain, improvements and use. In the spring and early summer when the trail is being put in shape for summer use, additional help will be required.

TABLE I

Appropriations and Expenditures for Riding and Hiking Trails
Division of Beaches and Parks
From July 1, 1945, (97th F. Y.) to August 31, 1950

Paid from	Amount of appropriation	Amount of appropriation reverted	Total expenditures	Salaries and wages	Operating expenses	Equipment includes construction equipment	Rights of way and title insurance	Improvement and construction trails, fences, bridges, gates, drainage, structures—detail attached
1. Appropriation for investigation reports and plans for location and development of a State Trails System, Chapter 1469/45, State Park Fund	$20,000	$1,279.27	$18,720.73	$10,648.04	$5,208.46	$2,864.23	------	------
2. Appropriation for establishment and development of riding and hiking trails, Item 232, Chapter 486/47, State Park Fund	100,000	70,655.27	29,344.83	11,564.43	3,393.64	------	------	$14,386.76
3. Appropriation for establishment of riders' and hikers' trails, Chapter 112/46, State Park Fund	300,000[a]	------	132,492.32	22,903.98	10,156.98	18,315.75	$1,934.50	79,181.11
4. Appropriation for establishment and development of riding and hiking trails, Chapter 2/1950, Postwar Employment Reserve Fund	100,000[b]	------	------	------	------	------	------	------
TOTALS, Appropriations and expenditures for riders' and hikers' trails	$520,000	$71,934 54	$180,557.88	$45,116.45	$18,759.08	$21,179.98	$1,934.50	$93,567.87

[a] The appropriation made under Chapter 112, Statutes of 1946, was amended by Chapter 23, 1948, making this appropriation available for expenditure without regard to fiscal years Funds in the amount of $293,256 67 have been allocated for the construction and acquisition of the riding and hiking trails Only $6,743 33 remains unbudgeted out of the $300,000 appropriation

[b] The $100,000 appropriation out of the Postwar Employment Reserve Fund became available for expenditure July 1, 1950 While no expenditures have been made to date, funds in the amount of $39,420 have been allocated to cover construction agreements negotiated during August, 1950, with the U S Forest Service

NOTE In addition to the expenditures shown above, it is estimated that $43,683 has been expended during the period July 1, 1949, and August 31, 1950, out of support appropriations for the Division of Beaches and Parks, to further the riding and hiking trails project This estimated figure cannot be substantiated by the accounting records as the legislation creating the riding and hiking trals project made it a part of the State Park Sysem Therefore, the expenditures in behalf of the riding and hiking trails are included with other support expendiures of the State Park System Administration costs of the Division of Beaches and Parks and the department are not included in this figure

TABLE II

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to August 31, 1950

Acct. No.	*Name of Project*	*From Item 232, Ch 486/47*	*From Ch 112/46*	*Total*
	Contra Costa County			
112 2.1	Mount Diablo State Park	-------	$402.54	
2	Mount Diablo State Park to Cemetery Road	-------	2,173.63	
3	Cementery Road to Contra Costa Canal	-------	4,041.06	
4	Contra Costa Canal	-------	744.72	
5	Contra Costa Canal to Railroad Avenue, Concord	-------	923.81	
6	Railroad Avenue, Concord, Contra Costa Golf Club	-------	3,174.90	
7	Contra Costa Golf Club to Vine Hill Road	-------	3,797.28	
8	Vine Hill Road to Muir Station	-------	1,128.92	
9	Muir Station to Martinez	-------	3,592.82	
	Total, Contra Costa County	-------	$19,979.68	$19,979.68
	Los Angeles County			
232.3.1	Angeles National Forest, South Half	$9,886.76		
112.3.1	South Fork, Rock Creek to Buckhorn			
1A	Burkhorn to Three Point	-------	$6,066.31	
2	Angeles National Forest, South Half to North Half	-------	4,487.21	
3	Merit Canyon to Bouquet Road	-------	3,201.17	
4	Bouquet Road to Munz Ranch	-------	2,654.85	
5	Munz Ranch to Fairmount Reservoir	-------	3,127.92	
6	Campground Development, South Fork Rock Creek			
7	Fairmount Reservoir to Kern County	-------	7.50	
8	Campground Development, Sierra Pelona			
	Total, Los Angeles County	$9,886.76	$19,544.96	$29,431.72
	San Diego County			
112.5 1	Mexican Border to NS 154			
2	NS 154 to Dog House Junction			
3	Dog House Junction to Highway 94	-------	$1,610.99	
4	Highway 94 to Hollenbeck Canyon	-------	1,364.36	
5	Hollenbeck Canyon to Junction OS 115 and Beaver Hollow Road	-------	7,646.22	
6	Junction OS 115 and Beaver Hollow Road to OS 59	-------	639.72	
7	OS 59 to Cuyamaca Rancho State Park	-------	3,493.24	
8	Cuyamaca Rancho State Park, North	-------	2,122.12	
9	Cuyamaca Rancho State Park, South	-------	1,855.31	
10	Cuyamaca Rancho to Banner	-------	2.02	
11	Cuyamaca Rancho to Warner	-------	-------	
12	By Pass of Highway 80 Freeway	-------	2,025.34	
	Total, San Diego County	-------	$20,759.32	$20,759.32
	Butte-Plumas County			
232.4.1	Robinson's Mill to Buck's Lake	$4,500.00		
112.9.1	John Taylor Trail	-------	$3,999.78	
2	Hartman's Bar Trail	-------	3,998.83	
3	Hartman's Bar Campsite	-------	2,907.82	
4	Green Flat to Hartman's Bar	-------	3,997.89	
5	Green Flat Sector	-------	2,997.69	
6	Three Lakes Sector	-------	995.14	
	Total, Butte-Plumas County	$4,500.00	$18,897.15	$23,397.15

TABLE II—Continued

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to August 31, 1950

Acct. No.	*Name of Project*	*From Item 232, Ch 486/47*	*From Ch 112/46*	*Total*
	Yuba County			None
112.10.1	Dobbins to Challenge	-------	-------	
2	Challenge to Lost Creek	-------	-------	
3	Lost Creek Crossing	-------	-------	
4	Lost Creek to Lumpkin Road	-------	-------	
5	Lumpkin Road to Feather Falls	-------	-------	
6	Signs for Sector	-------	-------	
	Total, Yuba County	-------	-------	
	San Bernardino County			None
112.11.1	San Bernardino Forest to Applewhite	-------	-------	
2	Applewhite to Cajon	-------	-------	
3	Cajon to Crowder Canyon	-------	-------	
4	Crowder Canyon to Los Flores	-------	-------	
5	Los Flores to Arrowhead	-------	-------	
	Total, San Bernardino County	-------	-------	
	El Dorado County			None
112.12.1	Placerville to Chili Bar	-------	-------	
2	Chili Bar to Coloma	-------	-------	
3	Signs for Balance of County	-------	-------	
	Total, El Dorado County	-------	-------	
	GRAND TOTAL, Expenditures for Improvements, and Construction of Trails, Fences, Bridges, Gates, Drainage Structures	$14,386.76	$79,181.11	$93,567.87

TABLE III
Status of Master Plans as of August 31, 1950

County	Approved by County Board of Supervisors	Amended Plan Approved	Investigated by Division of Beaches and Parks	Approved by Park Commission	Remarks
San Diego			Complete	May 2, 1947	Acquisition complete. Construction 60 percent complete
Riverside	Dec. 15, 1948		Complete	July 22, 1949	Acquisition and engineering under way
San Bernardino	Apr. 27, 1948		Complete	June 11, 1948	Acquisition 90 percent complete. First construction contracted for
Los Angeles	Jan. 8, 1946	July 30, 1946	Complete	Sept. 20, 1946	Acquisition complete. Construction 90 percent complete on Sierra loop
Kern	Jan. 21, 1946		Complete	June 11, 1948	Acquisition and engineering under way
Tulare	Unknown		Partially		
Fresno	Dec. 17, 1946		No		
Madera	Apr. 18, 1950		No		
Mariposa	Not received		No		
Tuolumne	Not received		Partially		
Calaveras	Not received		No		
Amador	Not received		No		
El Dorado	Apr. 8, 1947		Complete	Aug. 15, 1957	Acquisition under way
Placer	Aug. 7, 1950		Complete		
Nevada	May 1, 1948		Complete	June 11, 1948	Amended plan expected
Yuba	Apr. 5, 1948		Complete	June 11, 1948	Engineering and acquisition under way
Butte and Plumas	Aug. 11, 1947		Complete	Aug. 15, 1947	Acquisition and construction under way
Tehama	July 12, 1949		Complete	July 22, 1949	Acquisition and engineering and construction under way
Shasta	Dec. 28, 1945		Complete	Dec. 20, 1946	
Siskiyou	Sept. 19, 1947		No		
Humboldt			No		
Mendocino			No		
Sonoma	Mar. 4, 1946		Complete	Feb. 21, 1947	
Marin	Feb. 25, 1946		Complete	May 2, 1947	Acquisition under way
San Francisco	No work				Existing trail system to be utilized
Napa	Nov. 12, 1947		Complete	June 11, 1948	
Solano	May 5, 1947		Complete	June 11, 1948	
Contra Costa	Jan. 7, 1946		Complete	Sept. 2, 1946	Acquisition and construction under way
Alameda	Feb. 5, 1948		Complete		Acquisition under way
Santa Clara			No		
San Mateo	Apr. 16, 1946		Complete	Sept. 20, 1946	Acquisition nearly complete
Santa Cruz			Partial		
Monterey			No		
San Luis Obispo			No		
Santa Barbara	Oct. 25, 1948		Complete	July 29, 1949	
Ventura			No		

TABLE IV

Riding and Hiking Trails—Percent Complete

Acct. No.	Name of project	Percent complete	Remarks
	Contra Costa County		
P112 .2 .1	Mt. Diablo State Park	0	
2	Mt. Diablo State Park to Cemetery Road	95	
3	Cemetery Road to Contra Costa Canal	99	
4	Contra Costa Canal	0	
5	Contra Costa Canal to Railroad Avenue, Concord	95	
6	Railroad Avenue, Concord Contra Costa Golf Club	95	
7	Contra Costa Golf Club to Vine Hill Road	99	
8	Vine Hill Road to Muir Station	95	
9	Muir Station to Martinez	90	
	Los Angeles County		
P232 .3 .1	Angeles National Forest, South Half	99	
P112 .3 .1	South Fork, Rock Creek to Buckhorn	100	
1A	Buckhorn to Three Point	100	
2	Angeles National Forest — South Half to North Half	100	
3	Mint Canyon to Bouquet Road	100	
4	Bouquet Road to Munz Ranch	100	
5	Munz Ranch to Fairmount Reservoir	100	
6	Campground Div. South Fork Rock Creek	0	
7	Fairmount Reservoir to Kern County	95	
8	Campground Div. to Sierra Pelona	0	
	San Diego County		
P112 .5 .1	Mexican Border to NS 154	0	To be discontinued
2	NS 154 to Dog House Junction	0	To be discontinued
3	Dog House Junction to Highway 94	100	
4	Highway 94 to Hollenbeck Canyon	100	
5	Hollenbeck Canyon to Junction OS-115 and Beaver Hollow Road	100	
6	Junction OS-115 and Beaver Hollow Road to OS-59	70	
7	OS-59 to Cuyamaca Rancho State Park	45	
8	Cuyamaca Rancho State Park, North Half O. E.	95	
8	Cuyamaca Rancho State Park, North Half S&W	--	
9	Cuyamaca Rancho State Park, South Half O. E.	95	
9	Cuyamaca Rancho State Park, South Half S&W	--	
10	Cuyamaca Rancho to Banner	0	
11	Cuyamaca Rancho to Warner	0	
12	By-pass Freeway 80	75	
	Butte-Plumas County		
P232 .4 .1	Robinson's Mill to Bucks Lake	100	
P112 .9 .1	John Taylor Trail	100	
2	Hartman's Bar Trail	100	
3	Hartman's Bar Camp Site	100	
4	Green Flat to Hartman's Bar	100	
5	Green Flat Sector	100	
6	Three Lake Sector	100	

TABLE IV—Continued

Riding and Hiking Trails—Percent Complete

Acct. No.	Name of project	Percent complete	Remarks
	Yuba County		
P112.10 .1	Dobbins to Challenge	0	Engineering on all these projects is complete and the contract for construction is being processed.
2	Challenge to Lost Creek	0	
3	Lost Creek Crossing	0	
4	Lost Creek to Lumpkin Road	0	
5	Lumpkin Road to Feather Falls	0	
6	Signs for Sector	0	
	San Bernardino County		
P112.11 .1	San Bernardino Forest to Applewhite	0	Engineering on projects 1 through 4 is complete and contracts to complete 90 percent of construction have been signed. Engineering is now in progress on project 5 as well as on new projects in process of being set up.
2	Applewhite to Cajon	0	
3	Cajon to Crowder Canyon	0	
4	Crowder Canyon to Los Flores	0	
5	Los Flores to Arrowhead	0	
	El Dorado County		
P112.12 .1	Placerville to Chili Bar	0	
2	Chili Bar to Coloma	0	
3	Signs for balance of county	0	

In addition engineering is completed on projects in Tehama County (three projects) and three new projects in Los Angeles County, all of which are being set up at present and agreements with U. S. Forest Service for construction being processed.

APPENDIX II

Detailed Features of California Riding and Hiking Trail
San Diego County

Otay Lake to Cuyamaca Park

	Cumulative mileage	
Otay Lake	0.0	Private dirt road. Installed four riders' gates and graded road which was in poor repair.
County Road	4.2	Use road shoulder. Placed trail signs and signs "Keep Horses Off Oiled Road." Installed two riders' gates at cattle guards 4.5 miles.
Dulzur Creek	8.7	Crossed under Highway 94 at bridge on Dulzur Creek, crossed creek. Trail is on road shoulder for 100 yards then through field (no trail tread prepared) to Honey Springs Road. One-fourth mile. Built trail for approximately two miles generally to 10 percent grade with some short steep pitches. Trail tread 36-inch minimum. Crossed Hollenbeck Canyon where water for animals is available. Trail enters on to truck trail to Lee Valley. Placed signs on truck trail and installed a drive gate and a riders' gate. Distance 4 3 miles.
Lee Valley	13.25	Built 0.5 mile trail keeping on side hill generally at toe of brush patch lower side. Installed riders' gates at either end of trail. Used approximately 200 yards of dirt driveway to Lee Valley Road, moved fence along road back 10 feet and built trail for 0 5 mile, then crossed road and built 0.2 mile of trail to Lawson Valley Road.
Lawson Valley Road	14.0	Crossed road, installed gate on fire trail, used fire trail for 0.2 mile, then built trail down steep slope into canyon. Trail goes to 18 to 20 percent for short stretches. Water available in canyon in early summer. Across canyon, trail kept to 10 percent. Installed one gate and 600 feet of fence (to avoid three gates). This section mostly rocky, distance 0.5 mile.

APPENDIX II—Continued

Detailed Features of California Riding and Hiking Trail
San Diego County

	Cumulative mileage	
Beaver Hollow Truck Trail	14.5	Used truck trail, built fence on either side (8,200 feet in all). Installed drive gates and graded trail, widened corners and blewout large boulders along trail to give better sight distance on sharp curves. (This road, although private, is used frequently by residents of Beaver Hollow). Beyond fenced portion, left truck trail and built trail through brush in rocky, steep terrain approximately 0 75 mile and back to truck trail again. This to avoid arable land as agreed in easement. Constructed 2,000 feet fence and installed drive gate Installed riders' gate at locked gate on truck trail Continued on truck trail to county road along Sweet Water River.
Sweet Water River	18.35	Used dirt county road 2.2 miles Installed signs
River Crossing	20 55	Bridge under construction by U S Forest Service. River can be forded most of the time. Used fire truck trail. Installed riders' gate and signs. Reconstructed portion of abandoned truck trail which was badly eroded. 4 25 miles to ____.
Japatul Valley Road	24.8	Next four miles still to be constructed A reroute was made necessary because of the improvement of the road All necessary easements have been obtained but one has not yet been approved No difficulty is expected as this easement is an addition to one previously approved and contains no commitments This portion will be built by U. S Forest Service who now have in their possession for approval an agreement covering half the construction
Bell Bluff	28 8	Used the truck trail one mile, then onto private drive Installed a riders' gate and drive gate in existing fence Constructed trail into Viejas Creek and along creek. Used farm road under freeway bridge over Viejas Creek Constructed two cattle guards, five riders' gates, two drive gates and 300 feet of fence Built temporary trail pending construction of dam on creek which would make a long bridge Since a new easement has been obtained, it is unnecessary to construct the bridge However, 600 feet of graded road is still to be built Total distance 1 2 miles.
Indian Reservation Road	30.0	Along road shoulder 2.8 miles. Placed directional signs.
Viejas Grade	32 8	Used road, cut overhanging limbs and brush, placed signs Five miles.
Hulburd Grove	37 8	Used dirt roads for two miles, graded roads and installed signs Cleared brush along road. Thence two miles to Cuyamaca Rancho State Park Constructed trail through heavy brush and rock Kept to 10 percent grade
Cuyamaca State Park	41.8	Enter park through riders' gate Trail constructed approximately 1.5 miles to fire truck trail, thence on fire truck trail to old C. C. C. trail, reconditioned approximately one mile of old trail to truck trail, thence on truck trail to Azalea Springs, then constructed trail to north boundary of park. 10 8 miles total distance
		End of present construction 53.6 miles.

APPENDIX II—Continued

Detailed Features of California Riding and Hiking Trail
Los Angeles County

	Cumulative mileage	
Los Angeles-San Bernadino County Line	0 0	Trail begins on Blue Ridge above Wrightwood, elevation 8,000 feet Constructed 4.5 miles trail to road out of Big Pines, thence generally on a contour at 7,500 feet to head of Fenner Canyon, three miles, thence on reconditioned trail down Fenner Canyon 3 5 miles to South Fork Camp Ground, elevation 5,000 feet. Water available in Fenner Canyon and at camp ground.
South Fork Camp	11	Existing trail seven miles to Islip Saddle, narrow and steep, on rocky sidehill; not recommended for other than seasoned riders. An agreement is being processed to have this portion widened and realigned to make it usable by any rider. Elevation 8,000 feet
Islip Saddle	18	Four miles not constructed. Reroute caused by construction of Angeles Crest Highway Agreement for this section is being processed. Elevation 5,000 feet
Angeles Crest Highway	22	4 75 miles not constructed Same as Islip Saddle section.
Cooper Canyon	26 75	At elevation 5,500 feet, 2 25 miles trail constructed through steep, rocky canyon. Kept to 10 percent grade; 30 inches minimum tread to elevation 6,500 feet
Angeles Crest Highway	29	Cross highway and onto old road, grade 3½ miles cross highway twice to Horse Flats Road, elevation 6,500; thence on existing truck trails to Mill Creek Divide Elevation 5,000 feet Water is available at Mill Creek Divide and at three places on truck trail, total distance 12 5 miles
Mill Creek Divide	41 5	On existing trail four miles to Mt. Gleason truck trail, thence on truck trail 10 miles to Arrastre Canyon Installed signs Trail runs from 5,500 feet elevation to 6,500 at Mt. Gleason to 3,000 feet at Arrastre
Arrastre Canyon	55.5	Down Arrastre Canyon on dirt road to Soledad Canyon Road, distance two miles, thence built trail along road to town of Acton, 1 2 miles approximately Through town of Acton on streets to Escondida Canyon Road. Built four miles trail along road to Highway 6 Thence 1 8 miles trail along highway, thence built 1 3 miles trail, fenced one side, installed three drive gates, and three riders' gates to Hausan Canyon Road (private road) 1 9 miles Installed three riders' gates, two drive gates; built 0.5 mile of fence Average elevation through this section is 3,000 feet.
Big Tree Trail	58 5	Reconditioned trail 1 5 miles to Sierra Pelona Road, 0 2 mile on road (elevation 4,500 feet), thence reconstructed trail approximately 1.1 miles to Bouquet Canyon Road. Elevation 3,500 feet.
Bouquet Canyon	71.3	Cross road, constructed 30-inch culvert, installed riders' gate and built fence along both sides of 0 3 mile private road, thence built 1 2 miles trail to elevation 4,000 feet to connect with fire truck road 9 5 miles on truck road to Munz Ranch Installed two riders' gates Elevation 3,000 feet.
Munz Ranch	82.3	Built trail 3 2 miles to fire truck trail, elevation 3,500 feet; thence on existing dirt roads to Fairmont Reservoir, one mile.
Fairmont Reservoir	86.5	Elevation 3 000 feet. Used existing roads connected by short sections of constructed trail, one mile approximately Installed five riders' gates, one cable gate, thence on existing roads to county line. Installed two riders' gates. Distance eight miles.
Kern County	95.5	89 2 built.

APPENDIX II—Continued

Detailed Features of California Riding and Hiking Trail
Contra Costa County

	Cumulative mileage	
Beginning at Clayton	0 0	On county road shoulder 1 6 miles, turn right into fenced land, one mile trail graded, one mile fence constructed; thence 3.4 miles temporary route on county roads, placed signs to Cowell School.
Cowell School	6.0	1 1 miles in fenced lane, built 6,074 feet fence, moved and reset 1,210 feet cyclone fence, installed two drive gates, graded trail to Contra Costa Canal.
Contra Costa Canal	7.1	No trail next two miles (right of way not acquired).
Concord	9.1	0 2 mile of fence and trail built to city street; thence on streets and road shoulders two miles to Walnut Creek.
Walnut Creek	11.1	Cross Walnut Creek, cut short trail section out of creek bottom. Built three riders' gates, one 12-foot drive gate, 1.375 feet fence Distance 0.5 mile to Pacheco Road; thence 0.75 mile around edge of airfield, installed two riders' gates, built trail which was disked out by grain farmer.
Pacheco	12 35	Used city streets, placed signs, built 655 feet fence, distance 0 5 mile, thence 2 5 miles built trail to Vine Hill Road. Built 8,458 feet of fence, 11 drive gates, seven riders' gates, two 30-foot span bridges, two log culverts
Vine Hill Road	14 85	1 55 miles to Muir Station, used county roads, built 0 7 mile of trail, 1.40 feet of fence, five riders' gates, one 25-foot bridge.
Muir Station	16.0	Built 0 4 mile of trail on highway right-of-way, trimmed trees, cleared brush, placed signs.
Pleasant Hill Road	16 4	Built two miles of trail, 12,634 feet of fence, seven riders' gates. Total distance 3 5 miles to Martinez City Park.
City Park	19 9	1 7 miles on city streets to ferry slip. Signs only.
Ferry Slip	21.6	

Plumas-Butte Counties

Cascade	0.0	Use county road (dirt) Two miles to yard house, thence one mile on steep trail across South Branch, Feather River, elevation 4,000 feet to top of ridge, elevation 4,800 feet, thence along John Taylor Trail, five miles relocated and built to Hartman Bar, Middle Fork of Feather River, elevation 2,300 feet. Reconstructed 110 feet cable suspension bridge, constructed 20-foot timber bridge.
Hartmans Bar	8 0	Relocated and built five miles of trail to Gravel Ridge elevation 5,900 feet, constructed one 18-inch culvert, constructed rock ford, at Catrell Creek; thence six miles on Gravel Ridge Road to Bucks Lake. This is a temporary route. New route uses three miles of road, then three miles new trail construction which is about one-half completed
Bucks Lake	19.0	Elevation 5,200 feet. Used one mile of oiled road; thence onto trail at Bucks Creek. Recondition nine miles of trail to Three Lakes, elevation 7,000 feet, thence on Truck Trail 1 6 miles; thence built 1 mile of new trail to Belden Trail, reconditioned three miles of Belden Trail to Belden, elevation 2,400 feet
Belden	36.0	

Following are excerpts taken from the only meeting held by the committee on August 10, 1950, at which time many interested people were heard together with General Hannum, Director of the Department of Natural Resources; Colonel Kelton representing the Division of Beaches and Parks of the Department of Natural Resources, and members of his staff. The meeting proceeded as follows:

In General Hannum's opening remarks to the committee, he said: "As I recall, the Legislature passed the Riding and Hiking Trails Act; established it as a part of the State Park System, at the Session of 1945, and Governor Warren signed the bill at the celebration of the Bear Flag at Sonoma that summer. At that time he said he hoped the construction would start soon and that he would be happy to see the trail completed and in use. The bill provided that the Park Commission might—or they were to appoint an advisory committee. The Park Commission appointed this committee and it has been maintained since that time, and has had meetings at various times and places. Probably an average of four or five a year, and its members have been very conscientious in suggesting ways and means and assisting in securing easements for the establishment of trails. The bill provided that the power of condemnation should not be exercised. Therefore, it was necessary to secure easements for the trails on a voluntary basis. As a result it has been very difficult to secure a permanent and definite location for the various sections of the trails. There might be some 15 or 20 in a section, 10- to 20-mile stretch, who would give consent, and then one person objecting and refusing could hold up the program, and this has occurred in a number of cases. However, at times it appeared very discouraging and at one time the committee was almost ready to report it was impractical to carry out the program unless the Legislature could grant power of condemnation. There has been a good deal of discouragement and some criticism. The trail is constructed by sections, as Colonel Kelton will testify, and service agreements on small contracts are let where it is practical to do it that way. However, since the civil service regulations require that laborers be taken from eligible lists, it is difficult and delaying at times to get a force of workers together to do work in some places that are distant, like 70 or 80 miles from San Diego or Los Angeles. It is difficult to get the men to go out there. The present status can be explained by Colonel Kelton, who is in charge of the construction program."

KELTON: The act that was passed in 1945 went into effect in October of that year. An advisory committee was appointed and we immediately considered the method of expediting the program. We realized that on a three thousand-mile trail passing through 36 counties that we would need the assistance of the local people, the riders and hikers, and the support of the board of supervisors in those counties. In conjunction with the committee therefore, we worked out a plan of having a rider or a hiker from each of those counties appointed as a subcommittee to draw up a master plan for the trail in that particular county. We assumed the responsibility of coordinating the points between the counties so there would be a coordinated plan. Moving on that scheme, within a few months we had master plans approved by the board of supervisors for about 10 counties. Those plans varied in perfection because of the lack of detail in which they were drawn up. Some were mere map plans as you can well imagine. We started with limited personnel to investigate in various

counties. Shortly after that an appropriation was made by the Legislature. This first work was being done out of $20,000 appropriated for the survey. In 1950 another $100,000 was made available, making a total of $520,000 available for the project. Two thousand dollars of the first $20,000 appropriation reverted to the General Fund. I don't have the figures as to how much of the $100,000 of 1947 reverted.

DOLWIG: Will you explain why it reverted?

KELTON: We were unable to get adequate personnel and the investigations were carried on along that line. When you come within a few thousand of expending your funds you come as close as you can. The part that reverted from the $100,000 was due to the cause General Hannum mentioned, due to the inability to get sufficient lengths for the rights of way for the expenditures.

Under my supervision is the contact with the counties, the original lay-out of the trail, the investigation of the trail as laid out by the county officials, and the determination in conjunction with our Land Section with the owners along the trail, the acquisition connected therewith, then follow-up with the Land Section. Then, after a sufficiently long continuous stretch of trail has been obtained, it is turned back to the engineering section for construction. After the trail is constructed it then becomes the duty of the Park System as a whole to maintain the trail as a part of the State Park System. That maintenance will be done and is being done under the direction of our district superintendents. Now, to give a further picture, I might say we have received the heartiest cooperation from the United States Forest Service. Much of our trail goes through the national forests. We are building trails there through contact with the United States Forest Service and entering into contract agreements with the forest service for the maintenance of the trail. I think that about covers the status of the program.

MCCOLLISTER: Relative to the $175,000 remaining for this work, is any of that in danger of reversion?

KELTON: The $100,000 that was appropriated in 1950 will be subject to reversion. We now have approximately 200 miles of continuous trail ready for construction. We have agreements which have been engineered and are already to go through as soon as we can get one general agreement with the National Forest Service to expend or obligate $200,000.

MCCOLLISTER: Either you or the general or someone from the department would come to the Legislature and ask us about the matter in case there is a danger of reversion, wouldn't you? I wouldn't want to lose any of that money. If there is a danger of reversion we should make proper note of it before the next session.

KELTON: Yes.

THOMPSON: How much of that money has been set aside to be used for rights of way for future construction?

KELTON: It is a very small sum. I would like to have Mr. Hennessey answer that. The actual payments made to owners have been small. The cost of interviewing of these people and then possibly having to throw out a long line of trail because of inability to get one owner to sign up has been rather high.

MCCOLLISTER: As long as you are getting them as easements without payments you are getting that for free. Then by comparison the amount spent for interviewing would be a small percentage. Isn't that so?

KELTON: Yes.

McCOLLISTER: I thing as compared to the value of the rights of way we get, it is a bargain and should be considered as a minor percentage on the over-all program.

THOMPSON: I would like to know whether it wouldn't be better policy to go ahead and acquire the rights of way rather than consumate so much of the construction work at the present time?

DOLWIG: I would like to get that point straightened out too.

KELTON: I have given you appropriations made expressly for riding and hiking trails. In addition, the personnel is carried on the regular support budget of the division. For instance, part of my services go into riding and hiking trails. It is carried more or less as overhead.

DOLWIG: You allocate certain percentages of salaries to riding and hiking trails, and so forth?

KELTON: The accounting office told us it is not necessary since we are all part of the Division of Beaches and Parks. I attempted at one time to make an estimate of the actual salaries that have gone into the Riding and Hiking Trails Division and I would say it approximates, over the four years, about $40,000 for the period.

DOLWIG: In the Division of Beaches and Parks, certain employees devote full time to the trails program and other employees spent part time, and you make allocations on that basis, and since there is no overlapping of duties, you think about $40,000 came from that fund?

McCOLLISTER: I think the chairman asked you if the policy for the department, with $275,000 on hand, is to spend that money on construction on rights of way now obtained, or is part to be spent to obtain more rights of way? I don't believe we have had an answer to that question yet

KELTON: The budget for the fiscal year we are now in assigns $18,000 to acquisitions, then for the improvement, construction of trails, the remainder was given to the Engineering Division for construction. The $18,000 is adequate to cover any acquisition. If they need more they would cut down on construction and allocate to acquisition.

McCOLLISTER: But I think everyone in this room will understand there is a certain political value to the acquisition to assure your coming into the next session asking for further allocation. We are all aware what faces California in the financial future. Chances are very strong we will need more sources of revenue to keep things going. If a legislator comes from a county or area where there are enthusiasts of this program, and nothing has been done in his county, and he learns that $275,000 was spent somewhere else to construct a short portion of this trail, I can't help but feel that it isn't going to look very good for the program, from a legislative standpoint. I am debating whether your policy should not be changed and that you should obtain as many easements and rights of way as possible before the bulk of the money gets spent in one or two locations.

KELTON: I agree with you 100 percent.

McCOLLISTER: I have the distinct feeling that not enough has been done on the acquisition of the rights of way. The entire program is liable to be ridiculed. We are in the position of having thoroughly improved short segments of the trail, with the program as a whole suffering because of the lack of rights of way. I have a lot of riding and hiking enthusiasts in my own district, so has Mr. Dolwig—as a matter of fact,

all of us have. I am pressed at home in my own district. We want a lot of things in the expenditure of state funds. I am sure the committee will agree with me when I say that I think the primary thing is that every effort should be made by the Riding and Hiking Trails Division to obtain rights of way first. I think it should have priority.

KELTON: For the first time this year, in fact within the last two months, we are in a position to have enough rights of way secured to assure a continuous program of construction.

DOLWIG: That's just the point that Assemblyman McCollister is making. Is that your policy, or are you going to expand the acquisition program beyond that?

KELTON: The only program on expanding the acquisition activities. is in the number of personnel placed on it They have just taken on one extra man on acquisition.

THOMPSON: Does that depend on county participation to some extent?

KELTON: It does to some extent. We already have some plans which we have not as yet started work on.

DOLWIG: You mentioned you have 200 miles under acquisition Is that continuous?

KELTON: San Bernardino County is practically complete on acquisition, so is Riverside County Kern County is nearly complete San Mateo County is rapidly approaching completion. In Marin County we have been unable to get rights of way from Mt. Tamalpais State Park. We are working north from there and expect to increase our activity in that territory. We also expect to increase the activity in Ventura County.

DICKEY: Would you break down the total mileage in these different areas? How much mileage in San Bernardino County?

KELTON: I have not tabulated that There is approximately 110 miles.

DICKEY: How much in Riverside?

KELTON: About 75 or 80 miles.

DICKEY: In Kern County?

KELTON: About 120 miles, most of which is on county highways, in which construction will be a very minor matter.

DICKEY: Practically all the mileage is in San Bernardino, Riverside and Kern Counties?

KELTON: No, we have not included El Dorado County in that because there are still a few gaps When you have a gap, you never know whether you have the right of way or not. The whole trail may have to be rerouted. In El Dorado County that is exactly what happened. Three-fourths of the trail had to be rerouted and started again.

DICKEY: In case you did reroute the trail, who would you call into consultation relative to the rerouting?

KELTON: The riders in that area.

THOMPSON: Is there any particular group that you recognize first of all?

KELTON: We follow the advice of the advisory committee. They are in touch with the California Horsemen's Association. One of the members is also on the Sierra Club.

DICKEY: May we have the names of the advisory committee?

KELTON: Kent Weaver is chairman, Arthur Johnson is vice chairman, Dan Beebe, John Diggs, Roscoe Hazard, and there is one vacancy at the present time.

McCOLLISTER: I seem to be a bug on this same point, but I am trying to see what we can do to protect this particular feature. Do I understand correctly when I say that you are pursuing acquisition with sufficient effort to keep enough rights of way on hand so that you will use up what funds you have available for construction? You are just sort of keeping yourselves even. All right, and you agree that is the policy. I want to propose that that be considered before other points, where you expend effort and money on completing the easements and the acquisition. the whole 3,000 miles if you could. We have a whole trail on our hands which you authorize and which we want to improve, and therefore we need more funds. In keeping with your account, we have done our job and now we need more money for the perfection of the rights of way. If that were the policy of the department, the problem would be a great deal easier in the Legislature As it is you darn near need an airplane to cover where you have a right of way and where you haven't. That's the way I see it. I am proposing to the committee that your policy be changed to head for acquisition as fast as you can. Go right in and get your easements and follow up with construction as best you can.

KELTON: I think Mr. Hennessey can explain what his requirements for personnel are for such a program. That will come in the detailed budget for our department. We make up the budget. I think Mr. Hennessey can tell you how many extra men he needs.

McCOLLISTER: We are not going to question you in detail if we are faced with a hundred thousand dollar program. I seriously propose that the policy be changed. Now I certainly foresee objections for giving this program any more money.

Next to testify before the committee was Mr James E. Warren, Assistant Civil Engineer, Division of Beaches and Parks, who testified as follows:

WARREN: I have maps that I will submit if you wish (Map was submitted of the California Riding and Hiking Trail prepared by the Department of Natural Resources, Division of Beaches and Parks. Map was explained by Mr. Warren.)

THOMPSON: It if is agreeable to the members of the committee, Mr. Warren will explain what has been done up to this time and what is contemplated for the immediate future

WARREN: On this map we have attempted to show the over-all picture of the trail to date The yellow ones are counties of which we have received master plans for these counties, but the plans have not been approved. The green ones have been submitted and approved by the county board of supervisors and the advisory committee and State Park Commission. The approximate route of the trail is shown. The red is where the trail has been built. Where it is blue is where right of way has been acquired but no construction has taken place. Where it is brown is where right of way is acquired and construction is under way.

San Diego County is about half way complete as far as construction goes and we are now entering upon the last phase of construction Riverside County is better than half completed in right of way San Bernardino has one very small section still uncompleted as to right of way.

At the present time some of the Division of Beaches and Parks personnel with the Forest Service are going over this section to reroute We expect that will be completed upon the completion of this present trip. In Los Angeles County one link of the trail is completed as to right of way and construction as to a 3- or 4-mile strip in the center of the county and in the northern end of the county. There is another leg to come through into Ventura County upon which we have not done any work yet. At the present time we are preparing maps preparatory to beginning right of way work in that area. Kern County—the right of way is about half way completed. There is a considerable amount of rerouting to be done there The river will flood out a portion of the trail There is no right of way work at all from Kern County to El Dorado County, which is about half complete as to right of way. In Nevada County there is no right of way work undertaken. Yuba County is about to go under construction Butte and Plumas County rights of way and construction are nearly complete. Tehama County—about to go under construction there as soon as we can arrive at an agreement with the Forest Service Shasta County—no right of way work has been done. In Sonoma County —no right of way. Marin County—there are two state parks there and at the present time we have a right of way acquired but not approved by the Department of Finance for the land in between those two parks San Mateo County is about completed as to right of way. Contra Costa County is complete as to right of way and construction with the exception of the piece right in the center of the county that is controlled by the U S. Bureau of Reclamation. Alameda County—work has been started but 90 percent or a large portion of the trail goes through the grounds of the City and County of San Francisco who will not approve it. So there is no progress thus far in Alameda County. Santa Barbara County—right of way work about to begin there. We are preparing maps and compiling the names of property owners.

DICKEY: I don't know whether you are the proper gentlemen to ask this question, but it would appear to me in watching the map and your explanation of it, that the Centennial Commission chose the route through the Mother Lode, because no one would ever place a trail there for beauty or enjoyment or anything else

McCOLLISTER: How far above Sonora would that proposed trail be?

WARREN: The trail shows it in between Sonora and Jamestown.

DICKEY: There are only about two seasons when anyone would want to ride through there for enjoyment So any expenditure of state money for a trail in that area would be a waste of money. Have the national parks been consulted?

WARREN: Yes.

DICKEY: Have they agreed to cooperate?

WARREN: In every way they can.

DICKEY: Do you know that the national forests are preparing trails?

WARREN: Yes.

DICKEY: You have probably hiked and ridden. Do you know any particular reason why this trail shouldn't be moved up so that it could join with some of the national forest trails so it would save the State some money and be far more scenic? Do you know whether the committee has considered that it might expedite the completion of these trails by cooperating with the national forest and leave the routes as specified there to a later time and complete these trails now, because you have

almost continuous trails through the national forest that could be joined onto

WARREN: The State Advisory Committee has considered the use of these trails wherever possible.

DICKEY: I believe they haven't done it by routing the trail in that manner.

WARREN: Now that has been done here in Butte County. The original plan shown in Butte County came down very low. A present member of the advisory committee asked that it be rerouted and taken up into Plumas which at that time was not on the list of counties through which a trail should pass. So this trail is a result of that action

DICKEY: Where does that trail strike in Plumas? In Buck's Lake?

WARREN: Yes. It runs at about 4,500 feet. The rest of the trail is at an elevation of about 800 feet. I think that is primarily due to the fact that when the trail first came into being it was thought it should run about 2,500 feet and should be an all-year-round trail. It could be open the year around but it wouldn't be a pleasure to ride. I think that is why so many of these trails are shown in the lower country. And in almost all cases the final determination has been to force the trail farther into the mountains, for then we run into the Forest Service more often and get the benefit of going through public lands where our right of way problem is solved and we get the benefit of the trails now constructed by the Forest Service.

THOMPSON: In looking at the map and hearing your explanation of it, it would appear that the rights of way have been acquired in a portion of the state where it is easy to acquire them. Don't you believe that the most important thing would be to get the trails that are closer to the larger cities?

WARREN: It would appear so.

MCCOLLISTER: The final determination of the location of the trail is up to the approval of your division?

WARREN: Yes, that is right. I don't know of any cases where if it were at all possible to get through, where the local committee wants to, that we haven't done so. Where it has been necessary to make a rerouting, the committee has been conferred with.

DICKEY: In coming back to Tuolumne County, what local committee would recommend that route? The reason I ask is that all of us who have ranches in that area, when we want to go there, we go up above. My place is 3,000 feet level, about 2,000 feet above where that trail is.

WARREN: I think Mr. West is the chairman of the committee. I know Jim Dunlap was on it. West is a horseman. At the time, he was the county engineer. As I say, I believe it has been put at that elevation because of the original idea.

HENNESSEY: I want to bring out one of the facts that General Hannum brought out, and that is the right of domain. You gentlemen can appreciate that in a matter of this kind you have trouble to get a right of way and it is very expensive. In numerous cases we have had to throw aside easements already obtained and call on the engineers to reroute the trail. I don't mean that we should have eminent domain, but it would be very helpful if we did. They won't give it to us under any condition. Even with the local horsemen working with us, we have a great deal of difficulty. Now you mentioned that we should put on more right of way men, which would require more engineers. Under our present financial

situation this is not practicable. Our procedure is that the Planning Commission prepares these plans and often they have to be rerouted. To get a trail through the whole State we run into difficulty, because people insist on a lot of work being done sometimes within 60 or 90 days. So we can't get too far ahead of the engineers on that. We might also cite the delays of as long as six months due to legal technicalities between the Forest Service attorneys. We have had a battle that has held up on the construction on a question of who would assume the liability in case of any trouble. We have a case in San Mateo County of a horseman who has property which took a long time to clear. The case of the City and County of San Francisco that will not grant a right of way until they see what happens to San Mateo County. They will not do it unless there is a clause that will allow them to come in and do any repair work necessary. We have had a very discouraging program to purchase property under this method. We have been criticized for delays and we will have delays. This will take a long time under the present set-up. We have capable men but they can't get rights of way where the owners refuse them. Marin County is held up by one man. The same thing is true in Contra Costa County.

McCOLLISTER: From the metropolitan area around the bay, if you had a complete riding and hiking trail you would have something, and have a lot more supporters. Now it is my knowledge that the ranch you are talking about is at the very beginning of what you want to do, and it is my understanding that because you couldn't get that particular owner to cooperate that nothing further north has happened. Sonoma is on the map but nothing has been touched. Now the fact still remains that if you are stopped elsewhere, here is a good route that should be developed. You should forget Mr. Dias.

HENNESSEY: We have almost completed negotiations to go ahead without him. The engineers of our staff have to go out there and select the routes beforehand. They are starting to do that.

McCOLLISTER: I think this whole committee got started with a complaint from the Redwood Empire Association and others that work had been neglected or stopped when Mr. Dias wouldn't cooperate. That got us busy to complete the program. It is your statement that work in Sonoma and Marin Counties is being undertaken?

HENNESSEY: It is under way in Marin but not Sonoma. In Sonoma County we will start in as soon as the maps are turned over to us to go ahead.

McCOLLISTER: The master plan is on file with us and has been for over a year, but nothing has been done on it. Let us have the department's answer as a whole. Are you going to Sonoma County, and if so, when?

HENNESSEY: I couldn't tell you.

COL. KELTON: It has been a question of personnel. Certain personnel has been allowed but the fact is that in the budget for this year the engineers section was cut eight below what the budget called for in our engineering section. I had to lay off two assistant civil engineers from riding and hiking trails, so I am short in the riding and hiking trails at the present time. We are asking next session for an additional civil engineer and one or two assistant junior civil engineers and one aide to expedite the work. At the rate we have been going, we would need two more junior civil engineers in order to go ahead with the work.

McCOLLISTER: You are not going to start until you get the new budget?

COL. KELTON: We are working now. We have Mr. Warren and two other men.

McCOLLISTER: What is your expectancy in Sonoma County?

COL. KELTON: That is put up to the advisory committee They are close to the people. We ask them what the priority will be, as they have established a priority. What we try to do is to concentrate enough on one particular area to get a long enough stretch to go to work, and then go to work as soon as we get the necessary personnel.

McCOLLISTER: What can I tell my board of supervisors?

COL KELTON: Tell your board of supervisors that we will look on them with sympathy.

DICKEY: Colonel, you had a budget before, didn't you? And in that budget there were no engineers cut out, were there? In other words, you say by reason of the last budget you had to lay off some engineers?

COL. KELTON: We were unable to obtain the full personnel in 1946 and '47, that we were allowed. I can give you——

DICKEY: If you were unable to obtain them then why was it that you didn't ask for them when you submitted your last budget?

COL. KELTON: We did. There are many stops between our division and the time the budget reaches the Legislature.

DICKEY: I realize that. How long ago was the master plan of Sonoma submitted?

COL. KELTON: Nearly three years.

DICKEY: And in that time you have done nothing?

COL. KELTON: That is right.

McCOLLISTER: When can we expect you there?

DICKEY: I think the first question is, Why aren't you already there?

McCOLLISTER: They want more men and a larger budget

COL. KELTON: This is due to the county advisory committee.

DICKEY: In other words, in order to have all parts of the state equally represented or considered, it might be better to change the advisory committee. That would probably be the best answer.

McCOLLISTER: But the interest in that area has generated to a momentum and probably so because you have been stopped in other areas. So the northern part of the State has been neglected, and it is a very good question to ask you fellows when you are going into the North Coast Route, into Sonoma and Marin Counties. This was all started because of complaints that you were completely stopped, doing nothing. You are going to Camp Taylor. That is fine, but it is small. When you have an outing in the bay area you should have something for them by completing that area in the northern part of the county, and it is more important than wondering about routes in smaller places. Do you agree?

HENNESSEY: Yes.

McCOLLISTER: Then when will you be there?

HENNESSEY: We will go any place we are instructed to go.

McCOLLISTER: You are looking to the department as to when everything is clear and ready for you to go. Our own work has been done and is waiting for you. Somebody should speak for your department as to when you are coming over to us.

GEN. HANNUM: As has been explained, the advisory committee considers where we should go in to secure these rights of way and when the

Park Commission approves the set-up we follow in, as the advisory committee recommends and the Park Commission approves Now so far as Sonoma County is concerned, I do not believe that the advisory committee has recommended that we go into there up to this time.

DICKEY: Have you ever questioned their judgment?

GEN. HANNUM: I have sat in on about 80 percent of their meetings. We will try to meet your problems somehow. That is about all I have to say.

DICKEY: Do you feel that it would expedite the program, now that you have ironed out the difficulties between the National Parks System and the State Park System, do you feel it would expedite your work to reroute your plans so that there would be more money available to expedite counties such as Sonoma and Marin? Isn't it possible right now to tie in from San Berdue County the trail at some point in your National Park System of trails and continue that line on north?

HENNESSEY: That is a very good idea and it is being done now in all the national parks.

DICKEY: Has anything been arrived at between the National Parks System and the department as to where the trail would go?

HENNESSEY: That is handled by the engineers and I don't know. Mr. Warren can advise you.

WARREN: Yes, we have had discussions with various departments along that route and have come to agreements with them for the use of certain areas of the trail. In picking the routes through those counties there are generally representatives from the forest service on that committee.

DICKEY: Have you shown on any map any particular trail where you could avail yourself of their trails?

WARREN: No. Only in local areas.

DOLWIG: In other words, you have not sat down with the National Park Service to outline a definite trail wherein you could hook the state trail up with that of the National Park System.

WARREN: Only in particular counties or particular areas where the trail was so constructed that it does tie into the forest district's system of trails.

DICKEY: I am somewhat confused. By that, do you mean that you are taking the existing trail that is suggested and as a side trail you are tying into their trail?

WARREN: We are in most cases moving up to a higher level.

DICKEY: I wonder if you could show that on the map.

WARREN (indicating on map): The original route of the trail follows very closely to the metropolitan development. The trail now goes through into the mountains and the Big Bear Lake and across the ridge into Arrowhead Lake And then of necessity it has to come back down into the Mojave Desert area and we are crossing that section as quickly as possible on an old road. Then into the Angels' Forest. That trail is constructed now with very small portions still missing and that trail is probably an average elevation of 5.000 feet. In general it is along 6,500 feet elevation, goes on and ties into the Rock Creek area. The forest is divided into two portions through which we had to go through private land and build a trail. But the rest of the trail through here is almost all on forest trails or through trails some of which we have had to go and construct and bring up to a standard. Then of course we have an-

other desert area to cross going into Kern. We have taken county roads leading directly back into the forest. Then after we are about half way through Kern County we drop down a little bit in elevation. That particular forest is rather spotty as to ownership of the trails and not too well developed.

DICKEY: What is your elevation? Where do you go up from?

WARREN: We cross the highway at about 15 miles east of Mojave. I have larger scale maps here to show.

DICKEY: I wonder if it would be possible to indicate the exact location that you have agreed on with the National Forest Service? In other words, taking the individual counties as you go up from that point and indicating on that where you have reached your agreement.

WARREN: From this point on any talks we have had have been very general and not too many, because this area has not been worked out. We received the plans only within the last week or 10 days

DICKEY: What I am thinking of are the conferences that you might have had with the forest service.

WARREN: We have not worked in that county.

DICKEY: I am not speaking of that area.

KELTON: The entire north area we have not gone into.

DOLWIG: Haven't you reached some conclusion in your conferences with the national parks?

KELTON: Not as yet.

DICKEY: Well, is there anything we can do through friends in Washington?

KELTON: I don't believe there is any lack of cooperation. It is a lack of personnel to attack a 3,000-mile trail at one time.

DICKEY: How many people do you need? I can sit down with the maps and it wouldn't take long, if you are familiar with the country, to figure out trails that would be available the year around. Any person should be able to figure it out with a topo map without any engineers. What I was wondering, is why that has not been considered.

KELTON: Because of the concentration in other areas. The larger populated areas such as San Diego and Los Angeles have taken the entire attention of the personnel that we have had.

HENNESSEY: I think there is one thing to consider, and that is we haven't gone into those areas because the route of the trail has been determined by the county committees, subject to our approval.

DICKEY: As far as the county committees are concerned, they have no authority.

HENNESSEY: They almost always have a member of the Forest Service staff on their committee, generally the supervisor of the forest or a ranger.

DICKEY: Then how did you happen to get the location on that map?

WARREN: This is a projected location prepared a long time ago, and we have made corrections as the time came.

DOLWIG: If that is a projected route and if a large part of the route is in U. S. parks, those routes could be connected and the trails could be completed without too much difficulty

DICKEY: We have a certain amount of money in this fund, and if the National Forest Service will cooperate, we will have trails immediately and the other funds can be used in other places where it is more needed than up there.

WARREN: As far as that goes, I have shown on maps in our office where I would change the trail.

HENNESSEY: We still have to pay the Forest Service to maintain the trails.

DICKEY: The National Forest Service five years ago started on quite a program. They came out from Washington and went through all the parks in that area and designated certain trails that they would immediately go to work on, and they did. Those are trails we could ride over now. The national trail is open, available and in good condition at the present time. The National Park Service has done a wonderful job It is just a question of running the state trail so it will connect with the other route The Forest Service has those trails all marked

MR. KENT WEAVER, Chairman of the Riding and Hiking Trails Advisory Committee: Regarding the lay-out of the trail in Tuolumne County, some reasons were asked as to why it was put there. When this whole plan was conceived a committee was appointed to meet and decide in a general way how this trail was to go. We met and we decided we would try to keep the trail at a level of about 2,500 feet. We thought it would be more available to people and that it would be of more use the most of the year, and if we wanted to get into the High Sierras we could put feeder trails to lead us there.

DICKEY: I was thinking that the committee might have been influenced by the Centennials Committee that held many carnivals in the Mother Lode country.

WEAVER: The members of the committee would have no way of knowing the best place to locate a trail, and we have had to take the recommendations of the Division of Beaches and Parks.

DICKEY: Don't you find that the Federal Government is reaching out gradually in extending the parks until they are down near the Sacramento Valley and San Joaquin Valley?

WEAVER: I am not familiar with that, but there is nothing to prevent moving the trails up.

DICKEY. You would have a devil of a time at my place to go into Sonora even to shop, because it is too hot. This trail is below Sonora

WEAVER: Well, there is no trouble to move it up. There would be no opposition to moving it.

DICKEY: Mr. Warren is familiar with the county, the same as I am But my only point in bringing this up this morning is that we should buy the rights of way around the metropolitan areas and at the same time we would not be depriving people of the right to ride in the hill country because we can hook up these trails with the national forest trails.

WARREN: We run into trouble in the metropolitan areas In Contra Costa County we had a trail practically through and much of the trail was acquired gratis. We came to one small piece of trail and the appraised value put on it was $300. The woman wanted $1,500 for it—a difference of about $1,200. We fooled away more than $1,200 worth of time trying to get it. We had gotten most of it for nothing, so I suggested that we pay it, but I was told that it would not get by the Department of Finance Months afterwards we finally made arrangements with this woman to go through there on a temporary basis until such time as she decided what she wanted to do with it.

DICKEY: This committee is an unusual committee in this respect. It is probably the first interim committee in the history of the State that is

working without an appropriation. In setting up a program as to the practical standards of trails, does your committee do that or is it left entirely to the Engineering Division?

WARREN: That is all discussed with our committee.

DICKEY: The reason I brought that up is because some time ago I noticed that a bridge was being constructed for riders over a narrow wash or creek. I never could see any reason for the bridge, but if a bridge was necessary it seems to me that it should be constructed so that a horse could turn around on it and standards should be considered from the viewpoint of the poorest rider going over the trail. Everybody isn't an expert horseman. I would guess that perhaps a large majority of the riders are not experts.

WARREN: That is true to a certain extent. But there would always be some riders that would have trouble.

DICKEY: Are you familiar with this particular spot that I have referred to?

WARREN: Yes, I believe I am, and while no standard was ever set in our committee for that particular bridge, my recollection is that it is about six feet wide. That is considerably wider than this table. It would take a pretty poor horseman not to get over that bridge.

DICKEY: You are a good rider, Mr. Warren. We are going to have other people on the trails that are not expert riders. I am thinking now of the expenditure of our moneys. If someone rides that once a day, why is it necessary to put that bridge in there?

KELTON: There are a few times in the year that the water through there is approximately six feet deep and the bridge is needed.

DICKEY: Why not put rock in it? In other places it is being used all the time because it has been filled in with rock.

PELTON: Probably 360 days in the year it would be perfectly feasible not to have a bridge.

DICKEY: For five days in the year then should be expend that amount of money?

KELTON: We happened to think that in that particular place a bridge should go in.

DICKEY: I have had occasion to watch some of the surveying of these trails and then another group come out there the next day and another group comes out the next week to check on the other two groups figures.

KELTON: We have done practically no surveying as such on the trail, Mr. Dickey. We have done no instrument surveys except where we have had to determine a section corner. We found that the cost for such work is excessive and we haven't done it since.

DICKEY: When you estimate $486 per mile for the construction cost of these trails——

WARREN: Our figures were 185 miles of trails, expenditures—$173,000, making the average cost of $486 per mile.

DICKEY: You said 183 miles and $175,000. That's pretty close to $1,000 per mile. Let's forget the $486, I don't know how they arrived at that figure.

WEAVER: That's all right, this is very interesting.

DICKEY: We are watchdogs up there in the Legislature, and trying to get a dollar for a dollar.

WEAVER: I am satisfied that if some competent man, who had the knowledge and had the money placed at his disposal without red-tape and regulations, were to build this trail, it could be built at a portion of the time and for a fraction of the cost.

DICKEY: When you look over this budget, you didn't go for these fancy restrooms?

WEAVER: I don't think there was any intention to build fancy restrooms. They did intend to build children's restrooms there. They were to be comparable to restrooms in the state parks.

DICKEY: In building the trail we have money for bulldozing, and for this and for that, and it is my contention that in riding a horse, you get more enjoyment from riding on the back trails.

WEAVER: There is nothing fancy about the trails in Contra Costa County. Even some of that trail, they could not get over in the winter time.

DICKEY: The maintenance would be merely discing your grass in.

WEAVER: Yes, that's about all.

DICKEY: Don't you feel that the Horsemen's Association would report any signs that were down or any other needed or necessary——

WEAVER: I think that is true, but unfortunately congested counties like Contra Costa County, they are not always careful of the rights of others and there are lots of vandals loose and it is hardly safe sometimes to leave tools or stock loose. I think there would have to be some system of policing and I think that was part of the consideration we gave when we got the rights of way through there.

DICKEY: That is that they would be policed from fires and so forth Mr. Warren may I ask how you explain the figure of $486 per mile and yet only 183 miles have been completed and the cost is $175,000, which looks like about $1,000 per mile to me.

WARREN: On the over-all picture with the expenditure of $175,000 it is approximately $1,000 per mile——

DICKEY: Let's take a mile through Contra Costa County. Take any one mile and tell me how much it has cost to construct it?

WARREN. Contra Costa County was never built at $486 per mile, it was around $1,036 per mile.

KELTON: The figure is $1,016.23 per mile for Contra Costa County.

DICKEY: How many miles in Contra Costa County?

KELTON: 19½ miles. The total cost was $18,816.50.

DICKEY · Will you break that down for me. What does the $19,000 represent How much in bulldozing, in lumber? I would like to find out why it is costing $1,000 per mile.

KELTON: I think Mr. Warren can give you a better breakdown.

DICKEY: You had a bog over there that gave you a bit of worry, didn't you?

KELTON: Yes, and we decided not to build the bridge and put in some gravel in the stream.

WARREN: In your report to the advisory committee, you expended $18,816.50. In order to arrive at that figure, you must have had some figures from which you arrived at this total? Those are the figures I would like to have?

WARREN: In the first place, here's 35,330 feet of fence, approximately 35,000 feet of fence built in Contra Costa County at about 30 cents per lineal foot.

DICKEY: What type of wire?

WARREN: 6,100 feet of three-strand fence wire. 3,100 feet of four-strand barbed wire. Some on wooden posts, some of steel posts, depending on what the owner designated.

DICKEY: What is the cost of wire?

WARREN: $7.10 per roll.

DICKEY: You made a report here to the advisory committee of $90,348.96 for three counties? We are just taking Contra Costa County. Who gave you this figure? James E. Warren signed this report. Where are the figures?

WARREN: These figures came from the departmental accounting office.

DICKEY: I was trying to get a breakdown to find out if we are gilding it too much on these construction jobs. Who recommended the four-strand on the fences?

WARREN: The owner of the property. They recommended——

WEAVER: I am only telling you my opinion, but we have to build the kind of fences the owners want or we do not get the land This was paid out in building all the fences demanded. They worked for days in Contra Costa County. The people did change their minds and two or three brothers and a sister sometimes would tie up a piece of property. Without the right of condemnation it is practically impossible for us to get through.

DICKEY: I can understand why, when you are getting land for nothing, it is only human nature to do more for that land owner than ordinary If we have to buy land, what I was trying to determine is what work was actually done for these costs in those particular miles, because if we have to buy land in addition to this, it is a question of expending the money where it will do the most good.

Mr. Clyde Edmonston, representing the Redwood Empire Association, was called on to answer a few questions propounded him by members of the committee, and his testimony is as follows: The association comprises nine counties and is owned and operated by the taxpayers of those counties. These are our recommendations:

RECOMMENDATIONS BY REDWOOD EMPIRE ASSOCIATION

1. That the State Legislature appropriate funds adequate to complete construction of a comprehensive system of riding and hiking trails.

2. That these funds be made available for both the Primary and Secondary Trails System.

3. That a fair share of these funds be made available for trails in the Redwood Empire. The empire embraces: San Francisco, Marin, Sonoma, Napa, Lake, Mendocino, Humboldt and Del Norte Counties (plus Josephine County, Oregon, not herein affected).

4. That, from current funds, the State immediately proceed with acquisition of rights of way and construction within those counties that have filed master plans with the State Park Commission.

5. That, following filing of master plans by remaining Redwood Empire counties, acquisition and construction be commenced and completed.

NOTE: It is respectfully pointed out that a prime consideration and justification for these expenditures is the fact that such an adequate system of trails would provide fire breaks; also supply access for fire fighters and fire fighting equipment. Too many fires are destroying our natural resources, for lack of such fire breaks and fire trails

Further, the construction of these trails will contribute to further development of animal husbandry; will contribute to the health and well-being of those members of the public who would use these trails for riding and hiking purposes.

DICKEY: Mr. Edmonston, what and how much area is covered by national or state forests in the Redwood Empire?

EDMONSTON: About 30 percent.

DICKEY: That 30 percent would probably be the most desirable place to build a trail, would it not?

EDMONSTON: I would say so.

DICKEY: Have there been any plans filed? Shouldn't the trails be in conjunction with the trails in the national and state parks?

EDMONSTON: I would say this should be done.

DICKEY: The State Trail System should be with that of the National Park System.

EDMONSTON: We haven't met with the individual boards yet, we want them to proceed with their plans and file them.

DICKEY: In those particular counties do they have any representatives of the national forests sitting with those committees?

EDMONSTON: I don't know. I will call Mr. Raesch.

Mr. Albert G. Raisch of Marin County was next called on.

RAISCH: My position is that I was appointed by the Marin County Supervisors to represent them on the Redwood Empire Trails Committee

DICKEY: First of all, you have a very competent and able legislator over there who is probably one who gave birth to this committee. He has been fighting in behalf of Marin and Sonoma Counties at all times. Has your organization or the supervisors of your county gone in and tried to assist to get this particular rancher that Mr. McCollister spoke about this morning? Have they tried to get him to cooperate?

RAISCH: I believe that when we are really ready to get this particular property, I believe they will be reasonable. It depends on where they want the right of way. If they want to go right through the middle of it, I don't believe he would want that. That grazing land over there is worth anywhere from $40 to $50 to $60 per acre.

DICKEY: The reason I was going into this is that, "they want dough," is the expression they used some time ago. I want to know what the Boards of Supervisors of Marin and Sonoma and Contra Costa Counties are doing to assist?

EDMONSTON: If the land is near a highway, it is naturally worth more. I know that the general value of $40 is considered about the average run of straight grazing land.

DICKEY: Mr. Edmonston, I want to put this particular question to you. What is the Redwood Empire Association doing to cooperate?

EDMONSTON: It is the function of the board of supervisors to handle matters of that type. They have appointed one member to cooperate with the committee. These committees are available to cooperate with the State Park Commission and any of its representatives at any time.

DICKEY: May I ask one of the gentlemen who testified what the reply has been when they have contacted this particular rancher? In contacting that rancher, what reply did you receive, Mr. Hennessey?

HENNESSEY: He had no objections to people riding over there, but he said that he would not sell under any circumstances The last contact that was made was within the last three or four months.

DICKEY: Do you feel it would be of any value if the board of supervisors in that county would act as a liaison?

HENNESSEY: We would recommend any help.

Next to testify was Sidney Grove, Regional Vice President of Region No. 1 of the California State Horsemen's Association.

DICKEY: Mr. Grove, from remarks made by Mr. McCollister this morning, it develops that the State could not acquire a right of way for the reason that this one rancher will not cooperate. Because of this, the Sonoma County plan is stymied.

GROVE: In other words the Sonoma County program should be started right now?

DICKEY: Yes, and it has been held up because they could not acquire a right of way in Marin County.

HENNESSEY: We have not started in Sonoma County at all.

DICKEY: I understand that.

THOMPSON: How long has it been since your plans were approved?

GROVE: I believe it was in the fall of 1947.

THOMPSON: There is a great deal of interest in your county on your program, isn't there?

DOLWIG: Mr. Grove, you are not on the Advisory Committee? What is your function?

GROVE: I am interested in the Redwood Empire Association, also the California State Horsemen's Association.

DOLWIG: Have you taken your problem up with the State Trails Committee?

GROVE: Yes, but I have never received any information. It was more or less passed up.

DOLWIG: Did they ever give you any explanation in writing?

GROVE: No, it was always on this particular piece of property in Marin County.

DOLWIG: The only explanation was that they could not acquire the property in Marin County and could do nothing in Sonoma until that was acquired.

GROVE: Yes.

Next to testify was Nester Barrett, Secretary-Director of the Santa Clara Planning Commission, who spoke as follows: I would like to say to the committee that we are one of the counties which have not filed with the commission any final Master Plan approved by the supervisors. This is the first opportunity we have ever had to find out what this program is all about. When it was first put into operation a horseman came to the board of supervisors and asked that the Planning Commission prepare plans, and then we went through a period of time. We had with our neighboring counties some difficulty in ascertaining where the trails were to hook up. Because of our being in the dark on our program we have gone to a great deal of work in preparing our plans. I would like to show you some of our plans which are about 80 percent complete but which will be completed about the first of October. We have attempted to do the work and secure rights of way from property owners and have had wonderful cooperation from the local riding and hiking people. We understand when the time comes to acquire the rights of way it will all go through very easily. I have never personally been called upon by any person connected with the State in connection with this program. I have one letter stating that the program was started.

DICKEY: You never received a communication from that committee asking whether your plan was going to be filed?

BARRETT: No.

DICKEY: You did know they wanted it?

BARRETT: I knew it was necessary to have a master plan.

DOLWIG: The thing I am wondering about is that the duty of the division is a coordinating job, and you should have had their cooperation.

BARRETT: I haven't asked for it since the beginning of the program. Perhaps if we had, we would have received it.

DICKEY: Mr. Barrett, in view of the fact that you have just stated that through your office and through the cooperation of the horsemen's association in your area you contacted most of these property owners so that when the State wanted to acquire this land it would be easy to do so, if the State does not do this right away the land may not be available a year from now.

BARRETT: In our county a vast majority of the land is up in the mountain and we have attempted to use county trails and county roads so only a limited amount of the land is through private ownerships. Most of these are large and as they have been contacted the problem of land acquisition probably will not be very great although some time elapses. Down by Morgan Hill it would be a problem.

DICKEY: Although you may acquire three-fourths of the property easily it would be advisable to step in right now and get the land you need.

BARRETT: Of course we are at fault in not having filed a Master Plan. It was supposed to go through Santa Cruz County but we couldn't get those people together. These people are now interested again and that is the reason for this plan being submitted today. It is a little difficult in getting it away from Santa Cruz itself.

DICKEY: I would say a very masterful job has been done, and if they have contacted the property owners it seems the division ought to step in immediately and acquire these lands, because if you wait much longer it will be hard to do. What would your opinion be?

BARRETT: We are discussing it with the Acquisition Officer now. Mr. Henley from the department has been quite active on this and we are anxious to get it through. We would prefer to file a complete plan, as this is only about 80 percent complete.

Mr. Ed Zwierlein, Chairman of the Trails Committee, California State Horsemen's Association, made the following remarks and then called on members of his association to explain various phases of the State Horsemen's Association and their desires.

ZWIERLEIN: Our organization as you know covers the whole State, and with all the meetings that are going on we know what the horse people want. And yet at most of these meetings very little time has been given to asking question as to "what do you think is needed?" We used to get the progress reports and each one seemed to be the same as we went over the statements showing what had been done the following month. Mr. McCollister spoke this morning that we should work on the whole program and get all acquisitions done. There has been a feeling that you don't get the interest in various areas. You get the people enthused about it and nothing is done. This is what has happened in Santa Clara County. That program was started three or four years ago and nothing was done and now it has been taken over by another county. Another thing, the State Department makes up the budget, and the horsemen are never asked where it should be spent.

I have a number of people I would like to call upon and I think we could bring out the cooperation that the horse people could give your organization. I would like to call on Mr. Fred Anderson of Oakland who has had a great amount of experience in this and I think all of these things should come up today, and I would like to call on a few of these interested people to give you their ideas. Mr. Anderson, President of the California State Horsemen's Association. (Fred E. Anderson, Oakland, California, President of the California State Horsemen's Association.)

ANDERSON: I believe that if the horsemen are given the opportunity to cooperate, that we can obtain results throughout the state as we have in Alameda and Contra Costa County. We happen to have in Alameda County two parks. Originally when we wanted trails in there they didn't want to give them to us as they thought there weren't sufficient horsemen. But when we convinced them we could put 200 horses in there, they were convinced. Through the aid of the horsemen of the Metropolitan Horsemen's Association which is composed of ten associations, the purpose of organizing that association being to get the trails in the parks, we went before the Park Department and showed them we were ready to cooperate. At the present time we have about 150 miles of horse trails. They are good safe trails and we have week-end trails where many people ride over those same places. Where there is a crossing of a river bed we throw in a culvert and make it sufficiently wide for the people to pass over without hindering the flow of the water. In many cases we have hired a bulldozer to build a trail that will connect with the park trails. There is a side trail maybe 3 feet to 4 feet wide but it is safe, and I can't think of any occasion when we have had any trouble due to the fault of the trails. They have been constructed at a nominal fee, but I don't have the figures here today. That is the experience in Alameda County, and we have as fine trails as anywhere in the state. To this time, when the Park Commission wants cooperation they call on the horsemen in our area, and we go so far as to erect our own gates and police them. We get rights of way for we are friendly with the people. In cases where we get rights of way we put in gates and maintain them. That is the way it is done in Oakland and Alameda County. We in the Horsemen's Association are of the opinion that if we could construct more trails, as recommended by Mr. McCollister, if we could get more trails and rights of way through the state so our members could have the benefit of these trails, it would be a far better area than holding up one area until we developed another. We are of the opinion in regard to the over-night shelters that those things need not be constructed at this time. What we need at this time is trails. We want to develop one county so it will join with another, so that we have the fraternizing of horsemen throughout the State. In Alameda County we have been very cooperative with our supervisors. They approved our trail 2½ years ago with one exception. The right of way is acquired from the Spring Valley Water Co. As a gentleman from the Planning Commission brought up today, there is no reason why we can't tie the counties up. That, of course, is all under way.

DICKEY: Mr. Anderson, you heard the testimony this morning to the effect that they couldn't get the East Bay Municipal District to cooperate with them nor the county board of supervisors, when they were crossing roads. You say that by permission you cross the East Bay

Utilities property Don't you think it would be possible to acquire a permanent trail through there?

ANDERSON: I hardly think it would be necessary. If we were fortunate enough to pass over that and tie up with the state trail it would be quite nice. But that is a federal trail and does not come under the jurisdiction of the state trails.

DICKEY: In this particular plan you filed with the State, didn't that cross the East Bay Municipal District?

ANDERSON: No.

DICKEY: Didn't I understand this morning——

ANDERSON: No. That was the San Francisco Water Company.

DICKEY: Another question, Mr. Anderson—have you ever seen the figures on what it cost per mile? From your recollection, can't you tell me what it was?

ANDERSON: I have not seen those figures. No, I don't know what they are.

DICKEY: The terrain that would be crossed in that park would be somewhat similar to Sonoma or Marin. Is that pretty rugged?

ANDERSON: Yes, that is pretty rugged.

ZWIERLEIN: May I call on the next gentleman? I would like to call on Mr. Creed Haberlin from San Mateo County, who will discuss San Mateo County. It has been the recommendation, as you gentlemen heard this morning, that the area around the metropolitan area be completed first, such as Marin, and then complete the ones in Southern California. The plan for San Mateo was the first one approved and it is the last one to be worked upon. Will you give us something on that? (Creed Haberlin, San Mateo, San Mateo County Horsemen's Association.)

HABERLIN: I have been interested in the trail program for a period of years. I don't want to spend too much time on our own county, as this is a state program. We appreciate the problems of the beaches and parks. To acquire land without condemnation is a hard job, and we feel they have done a good job considering everything that had to be done in our county. We had a problem with the San Francisco Water Company and they finally agreed to give the State a right to travel through Spring Valley.

When this meeting was opened the chairman said he was glad to see the interest here in the meeting. If it was an evening meeting, it would produce 1,000 people from our county alone. In an evening meeting we could have 4,000 or 5,000 people, so there is a real interest in the program.

Our planning commission secretary is here, who will deliver you his reactions to the program. I personally feel that the power of condemnation should be considered somewhere in the State, because to acquire these rights of way from the people and then find two or three people who will hold out, is discouraging. After a county has 75 percent or 80 percent of their trail in they should be considered for construction. The remainder of the trail can be solved, because I think if the power of condemnation could be worked into this program it would solve a lot of problems. We would like to see this Spring Valley work done, because we have a certain number of years to complete the job. It also has a bearing on Alameda County, because they want to see what happens in San Mateo County. So we of San Mateo County would like to see some construction.

The other point I would like to make is the advisability of acquiring throughout the State as many easements as could be obtained. I think the problem is concentrated somewhat to get the trails completed in the counties that are developing fastest. So the picture changes. Probably the owner is friendly now, but if he sells out to a subdivider then you have a problem. So I believe the Division of Beaches and Parks have cooperated very well with the horse groups and county officials, but we would like to see construction, and possibly ask them to hurry along and get more done. But I think we owe them a vote of thanks for what they have done.

ZWIERLEIN: Someone asked about the cost in Alameda County. I would like to introduce a person in the Woodside Trail Club, and I believe the gentleman has an idea of cost which you people have been worried about. May I present Mr. Sam Campbell of the San Mateo County Mounted Patrol and Woodside Trail Club.

CAMPBELL: After hearing hundreds of thousands of dollars tossed around this morning in the Land Department and Engineering Department and all sorts of machinery, I feel I haven't anything to say that will interest the committee. We have a little trail at Woodside, just a wide place in the road. We haven't hundreds of miles of trails but approximately 150 miles. We have had those trails for 30 years. For about 10 years I have been responsible for construction and maintenance of those trails. Probably they are not comparable to the other state trails. They are on private property, very simply constructed by hand, and we use no bulldozers at all because we have found from experience that a bulldozer spoils the natural beauty and makes a tremendous dust bowl in the summer and a bog hole in the winter. Women, children and older men ride the trails and have no difficulty with them. Generally speaking, we concentrate on cutting the brush out, removing dead trees, and then leave the rest of the country as nearly like God made it as possible. We have built very few bridges as they are very expensive, and generally there are ways to get around this. We have never had an accident on our trails due to any fault of the trails, but we have had accidents because people didn't know how to ride.

As to cost, the trail system has been run for 30 years and the annual membership fee is $5 per person. We spend about $800 to $1,000 a year to maintain 150 miles of trail. Now there are one or two things that struck me this morning as I listened to the testimony that probably make our situation not quite comparable. We don't have miles of fencing I can well see where you acquire a permanent easement that is necessary. I have a feeling though that quite a few miles of trail can be constructed at a low cost if the work is done in a simple way.

Now the shelter system. We have found over the years that the property owners who give us rights of way don't want any fires or camps because of the hazard in the dry season. I think if you erect shelters, you will have a great deal of that kind of difficulty. I would urge that the trails be constructed as nearly as possible like our trails are constructed, because I know the property down there and that is the way they want it. Once you get a large, wide trail you invite motorcycle clubs and people in jeeps wanting to ride there. A horse trail does not have to be fancy. The main thing you have to do is take brush out and be sure that where you are going along the side of a hill the horse has a good

solid footing. I think, roughly, our maintenance expense would run $7 to $8 per mile.

DICKEY: Would you have an idea as to the cost of construction?

CAMPBELL: We have made use of old roads or county roads, any old road we could find, and once in awhile when we have to relocate a trail we do it by hand, and it can run into a lot of money. We have spent as much as $500 on one-half mile. But if you construct them very simply it isn't too expensive.

DOLWIG: In other words, from a horseman's standpoint, you wouldn't use a bulldozer?

CAMPBELL: There are places where you have to resort to that. For example, you might have a steep hill But these are small stretches, and by and large the use of a bulldozer is objectionable In the summertime the dust is so thick and in the wintertime it is bogged.

ZWIERLEIN: As long as we are speaking of the trails that are already in, we have a representative here from Contra Costa County, and I think there are a few things he would like to talk about. I would like to call on Mr. Leo Armstrong, the representative from the Contra Costa Trails Committee.

ARMSTRONG: I would like to compliment Mr. Henley for the fine work he has done in Contra Costa County in acquisition. I believe only $800 or thereabouts has been expended for property in that county. We have been impressed by his willingness to do the job, but frankly, it seems that his hands have been tied. We have observed this over a period of months. He is ready to go ahead and do the job and gets so far, and then he is stymied. We believe he should have a little more help. We don't know what is holding it up, but we do feel if some of the barriers were removed we could see much more development in the various counties But we would urge and beg you at this time to give Mr. Henley the help that he must have to do the best job possible. I would like to say that in March a representative of the horsemen met in Sacramento and at that time we made an earnest plea to be advised of the monthly meetings. When John Diggs was chairman we understand that a monthly meeting was held and progress made. I would say that if we are not holding the number of meetings necessary that we make arrangements to have them more often. I believe the horsemen are willing to give up their time if they are called upon for assistance.

At the meeting in March we had several recommendations. We recommended that a five-foot gate be adopted and were assured that all gates would be that from now on. If any additional gates are constructed, they should be wider. Unless some considerations are given to the recommendations of the horsemen, we will have problems. We want to go on record that we are demanding five-foot gates. We feel that the monthly meetings give us a chance to accomplish something and that we should be invited to attend them. If you will call upon us, we will help. We should be invited.

ZWIERLEIN: I would like to call on the Planning Commissioner, Frank S. Skillman, of San Mateo County.

SKILLMAN: San Mateo County was the number one county in the State on the riding and hiking program. We were in on our own before the State even started talking about it. I have been close to the picture. San Mateo County has had its program for some years and we have the same problem as others in acquiring rights of way for trails. It is very

easy for some clubs to get together and put locked gates through their property. That is one thing that is fairly simple to accomplish. But I think the gentleman from Woodside will be the first to admit it is difficult for the State to come along and ask for an easement for all times for a permanent trail. The days are numbered in the Bay area when the rights of way can be acquired for the trails. In our endeavors to get in our feeder trails we have had a great deal of difficulty. We were going along very nicely but one property owner held up the whole program. I feel that the power of eminent domain will have to be given if we are ever going to complete the program. I don't think it can be completed otherwise. We do have that right in San Mateo County, and it has helped in trying to arrive at the locations we desire. I want to close by saying we have had close cooperation with the horsemen's groups in the county, and they have worked a great many hours.

ZWIERLEIN: I would now like to introduce Mr. William T. Nulty of the Contra Costa County Horsemen's Association.

DICKEY: What criticism do you have in connection with the trails in Contra Costa?

NULTY: Three years ago the trails bogged down, and by cooperation of farmers and property owners, we went to work. We received 100 percent cooperation from Mr. Henley. I listened to the money that was spent in Contra Costa County. Outside of the fences I don't know where it is. They had a machine out there that was an excavator to make trails. They had the wrong kind of machinery. In fact, people called me to take pictures of the toy that was working on the Johnson property. They gave their ground with the fence to be protected, with the understanding that their ground would be disced and kept disced on the trail. That has not been done up to the fourth of this month. Others had the same experience. One person can hold up the whole program. The State has not paid out any money to these people. If this would happen, we could get the trail where it would be secured. One man offered to give us a trail up there if the fire district and the county and the State would pay one-third each. I know this went to Sacramento as the papers all came back. I think when we are trying to get the people's property for nothing, we should cooperate with them. We drafted a letter to the representatives and asked Colonel Kelton and Mr. Hennessey when they would have the advisory meeting so we could be there. We have got no place at all with them, only promises. They said they would advise us when the meetings were to be held but we were not notified so we could have representation there. How can we work with people if they don't work with us? Practically all the land in Contra Costa County was given without cost. The State has not kept its promises in disking the ground and that is the only way we got through that property. The fire hazard is great there. The trails are not at all like we originally planned them.

DICKEY: The trails are 20 feet. If the 20 feet was properly disced, would that be sufficient as a fire break?

NULTY: I believe it would.

DICKEY: I would think a 20-foot fire break would be sufficient.

NULTY: It is a stock county and they would not let us have the ground unless at least 20 feet on this side of the fence was made into a fire break.

THOMPSON: Who made these promises?

NULTY: Mr. Henley. I wanted to know what I could promise the people. Mr. Zuppen locked his gates because this was not done. Some of the gates are not proper. Some are off on the hinges. Three years ago I asked in Sacramento to put in six-foot gates. We told them in Sacramento we would cut our horses on the small ones when we went over the trails. Now these gates practically anywhere over there are not situated right. For instance, the fence will come in here and here and the gate will be put right in the corner. I have asked to have the gate put in the center of the 20-foot right of way. One gate 51 inches was put in. That is what we got when we asked for a six-foot gate We can't cross over Walnut Creek in the condition it is in. The county is scenic but we can't get up there for the reason that the State refuses to pay one-third of the fire trail going up there. What good is a trail if you don't finish it? Someone said we should complete all land acquisitions, but we should work on these trails. We have supervisors 100 percent to work with you gentlemen in Contra Costa County. We had a meeting last week.

DICKEY: In your years of experience in riding—on that particular ridge, did you feel that those banks were too steep?

NULTY: No. Just to show you gentlemen that it can be done, I rode those trails with my grandsons and we had no trouble. A lot of the people who were riding there got off the horses and pulled themselves by the barbed wire fences. A little money spent in widening out the trails would eliminate this.

DICKEY: How much money has been spent per mile outside of the fence?

NULTY: They put in a couple of bridges in there. Outside of the lumber and labor, that is about all it cost. There was no need of the bridges at all. If you dump rock in the bottom to give a foundation, you could put a horse through.

DICKEY: It is your feeling that the bridges that are already constructed were not necessary if the banks had been sloped and rock put in the bottom. What other expenses are there?

NULTY: I don't know. I can't see how it would cost so much.

DICKEY: In order to disk, you would have to use a track layer. If you have property there, wouldn't it be better to acquire 40 feet so that you could zig-zag back and forth?

NULTY: We are getting this property for nothing. I thought if we got a start on it and found out where we made a mistake we could show them where we would need more property and probably the State would give us more money. There was a lot of money spent someplace there, but apparently it was spent for salaries, etc.

DICKEY: This Mr. Henley Who is he?

NULTY: The man in the Lands Division.

DICKEY: I wonder, Mr. Henley, if you would answer a question?

HENLEY: As to the 20 feet and the discing of the 20 feet on either side. This is only to be done on their request.

DICKEY: I am not questioning the advisability of this but I am wondering if we are making a promise that we cannot fulfill. Would the Controller acknowledge a warrant and would the Treasurer pay it? In other words, we are using state funds for work on private land.

HENLEY: All I know is that it was passed and the Department of Finance approved it and it has been recorded and returned. They must put in the request for the outside discing.

THOMPSON: Have these people put in a request, have they asked for it? Mr. Henley, must that request go in in writing and to whom?

HENLEY: It must come in in writing to the department in Sacramento.

DOLWIG: There is only one piece of property that you have acquired where it is supposed to be done?

DICKEY: The understanding was when they secured the property that it was to be disced and kept disced.

HENLEY: The reason is that the grass got high and dry before they got around to do it.

DICKEY: How high was the grass?

HENLEY: I would say from 15 inches to 18 inches.

NULTY: One reason the ground should be disced is because it is on the side ground.

THOMPSON: Wouldn't it have been better to have operated some of it when the grass was right?

DICKEY: Would it be more economical to contract from some farmer who owns some cat or a disc to do it?

NULTY: Yes. A farmer has lots of time between crops when they could do it and would gladly do it.

DICKEY: In other words, it would be better ----

THOMPSON: Can they get in to these trails from these ranches?

NULTY: Yes. There is a gate for the rider to get through and a 12-foot gate for stockmen to get cattle through.

DICKEY: In other words we have too many people in the upper bracket and too few fellows in the field doing anything.

NULTY: That's right.

THOMPSON: Is there anything in the law now that prevents a motorcycle from going over these trails?

DICKEY: Off hand there is nothing I know of to prevent it. I would hesitate to say so definitely until I looked it up but I don't know of anything.

ZWIERLEIN: I would like to call upon the Executive Secretary of the State Horsemen's Association, Mr. Stone.

RAY STONE: I would like to say this, there have been several different counties represented and the desire expressed by the representatives for action on the state trail. Probably a lot of counties would like to have been here to express their views.

THOMPSON: Assemblymen Burkhalter and Hinckley are members of the committee but were not able to be present.

STONE: I was trying to point out that several of the counties I can think of would probably put in their bid for some action if they were here today. When this thing first started to roll a policy was adopted by the Advisory Committee. They foresaw just such a thing as we are up against today. In foreseeing this difficulty they decided that priority would be passed upon in the order in which the county plans were submitted to the Advisory Committee and Park Commission I thought that was an equitable arrangement. Much was made of the Sonoma County project I think it was submitted in the fall of 1947 and one of the copies of the magazine there would indicate that in June of 1948 San Bernardino and Kern Counties projects were submitted This goes to show that counties submitted much later are being worked on now and Sonoma County is not being worked on. I believe a policy should be established whereby

some justification is evidenced for this sort of thing. Another point, I would like to bring out something about what Mr. Zwierlein said. I have a copy here of the agreement between the Public Utilities Commission who control the Spring Valley water portion of the water system and that agreement was reached on the 15th of July, 1949, and as has been stated before, it took two years of political finagling to get this right of way at all. We are told the entire trail had to be completed in a certain length of time. When I requested a copy of this, there is no such clause in it. In going over the situation with Mr. Hennessey we discovered in the correspondence the State had agreed that the permit to use the land could be terminated if the right of way or if the trail had not been acquired and open to the public through San Mateo and Santa Cruz Counties in eight years. It is a matter of record, a letter written to Mr. Eckhard from Mr. Kelton. It is another indication of why—well, why the trails should be completed. We are not favoring any particular section. We are trying to look at it from a state-wide picture. We have members in all parts of the State. I think some solution should be suggested to this problem and some arrangement that a project will be done in a certain order to eliminate any bickering as to who gets what and when. I don't agree with the statements made about the power of condemnation being necessary later. I believe that San Mateo, as was stated here today, is practically completed. The same is true of Los Angeles and San Diego. In all the metropolitan areas they have already secured rights of way. I believe they can get them without the rights of condemnation. Some of the cow county legislators were the ones who objected to this thing on the grounds that they would go right through the middle of ranches, etc. They did not want the State to come along and condemn a trail in the middle of their ranch. They said they would go along if it did not have the power of condemnation. We would like to maintain this. I think we should if possible stick with it. I don't agree at all with what Mr. McCollister said this morning about abandoning construction in favor of acquisition. I think it is possible to seek a compromise between what is being done now and his idea. I think it would be a bad idea to abandon construction in favor of acquisition

THOMPSON: I don't think that is what Mr. McCollister meant. He stressed acquisition rather than going all out for construction.

STONE: I certainly think the construction is very necessary. Particularly in view of certain agreements that we have run into. In making these recommendations, I want you gentlemen to realize that I have been connected with it at every meeting that has been held in California, practically. I have also been connected with the State Horsemen's Association since 1943. I am making my recommendations as I feel the horse people of the State would feel if they could all speak. I think the Advisory Committee coud well consider eliminating the construction of hostels. Mr. Warren said in making up their budget they had an item in there for hostels. The horsemen are usually used to roughing it and I think most of the horsemen think that way about it. Unfortunately Santa Clara County has gone to such lengths in the submission of their reports because, as was brought out by Mr. Dickey, by the time they get around to working on them the property will probably be in other hands. We have not urged counties such as ones illustrated on the map as not having submitted their plans, we have not urged them in any way, because this thing was passed upon as a 10-year proposition in the first place. The acquisition as Mr. Hennessey said is considerably ahead of construction anyway. We

have not urged Tuolumne and a few of the other counties to get their plans in because if they once get their plans in they will feel they should have the work done. These are the only observations I have to make. The state horsemen are the ones that have to go out and try to get money for the riding and hiking trails for the Park Department to work with and maybe it is not strictly the thing to do in the state business, but I think we could very well be taken into consideration when the State Park Department is making up their budget to make up what they need. I think we know more about how the Legislature feels and we should be taken more into consideration when the budget is being made up.

DICKEY: Your Association is made up in a number of component parts You have districts, etc.?

STONE: We have about 235 clubs and the State is cut up into 12 regions.

DICKEY: Don't you think your organization might render a great deal of assistance by constructive criticism that might be brought to our attention? For instance, the gentleman from Contra Costa County who mentioned the many things that were unnecessary to do. If we knew the feeling of the horsemen riding these trails as to what was necessary for the budget, and what would be considered surplus. The bridges, etc., being unnecessary expenditures and such things as that, then this money could be expended and appropriated in a more efficient manner. Many times I receive complaints from horsemen, they don't like a certain trail and want me to vote "No" on something, but give no reason for it. If they will submit some criticism it should be constructive criticism where they feel the department is spending money not judiciously. This can be done throughout the State. I learned things about Contra Costa County trail that we can certainly use as an example in appropriating money for other trails in other counties.

ZWIERLEIN: Would you want this to come direct to the committee?

DICKEY: Yes. Send us a copy of it and a copy to the department. We are going to ask the department's advice as to what they are doing and need. We want information.

THOMPSON: Should that go to the advisory committee?

DOLWIG: Certainly.

DICKEY: The advisory committee, the department and this committee. We want to know what the department is doing and we would certainly inquire from your organization if certain expenditures are necessary. if you feel that they are necessary. I think it is a question of cooperation all the way around If we had more testimony like we got here a few moments ago from the gentleman from Contra Costa County, we are going to know what we are doing when we look at that budget.

STONE: I would like to suggest that if the chairman thinks there is time, that maybe this committee could briefly take a look at the 1951-52 budget.

DICKEY: Ordinarily we don't see the figures of any department except through the courtesy of the head of the department until it comes to the Ways and Means Committee.

DOLWIG: You mention you have been in from the beginning of this program Can you give us a little information about the Butte-Plumas trail program?

STONE: I frankly just don't remember. I presume that * * * actually they have been working on it two and a half years. They started in December, 1947. I presume they started on a priority basis.

DOLWIG: What basis was the priority established?

STONE: I think originally it was first come, first served.

WEAVER: I was going to suggest that you ask Mr. Diggs. He was chairman of this committee at that time.

THOMPSON: I think, gentlemen, we should have a five-minute recess at this time.

THOMPSON: Mr. Phillips, do you have anything on your mind?

JAMES PHILLIPS: I think pretty nearly everything has been said. I am president of the Sacramento County Horsemen's Association and the gentlemen who have spoken today are mostly from counties where the trails have gone through. When you are talking about the Coast Ranges and the Sierras where the trails are going, most of the riders are quite a ways from those trails. Most of the counties are not on the trail routes Many of these people look forward to the time when they can go into the____. This is a state-wide program from border to border each way. Many of the people have not been here today. They have a deep interest in it but they don't bear the responsibility of the trails. The people in Sacramento and in other counties are looking forward to the time when these trails are available. Sacramento County is taking the responsibility of establishing feeder trails out to these trails. We are looking forward to getting feeder trails out to the main trails. The horsemen's outlook is that this particular type of recreation is being pretty much pushed out of existence in those areas. California is a great horse state and it is as justifiable to spend money for this type of recreation as it is to spend it on parks, skiing and many other sports. Some of the horse people up there who are farther away have asked me to speak for them. We feel it is worthy of study by the Legislature and something worth while can come out of it. Particularly when the Legislative Auditor was making certain recommendations. I felt that there was a certain amount of danger in the Legislative Auditor's recommendation of no money. That's as much as saying, kill the program. They did not mean that and what they were saying was you people get together and work with the horse people, the Legislature still believes in the riding and hiking trail program and we hope it will be continued to the satisfaction of the taxpayer and those interested in the program. These trails will be as important to the hikers as they are to the horsemen When they are established the hikers will get as much pleasure out of them as the horsemen. The highways are being improved so you can use a car and the State Legislature should continue to make these trails available.

DICKEY: I would like to ask Mr. Phillips a question. You were here this morning when I was asking about a trail in the Sierras. Knowing the back country and the trails, do you feel that it would be better to be able to ride up around a 4,000-foot level or better to ride around Jimtown, etc.?

PHILLIPS: I feel it would be better to ride around the 4,000-foot level. I was curious to know where it was going to go in Tuolumne County. Sometime in 1946 or '47 I was told that the route had been approved roughly from Mariposa to Angel's Camp. I know that that is rather a hot trip and there is nothing of interest to look at. I don't think the present trail could be ridden in the day time, it would only be used at night.

I wonder if the board of supervisors had the proper conception of this trail program when they laid it out. Now it occurs to me that they should take a pretty close look at these trails before they are put into effect.

DICKEY: There are logging roads in there and roads that the CCC boys built.

PHILLIPS: Yes. Lot's of logging roads through there. About all that I believe would be necessary now for more desirable trails would be to find them. I don't think you would have much of a right-of-way problem up in that country. I just thought a review of any originally proposed trails in that area might be worthwhile and help that part of the problem out.

THOMPSON: Any more questions, gentlemen? Then we will call on Mr. Keller.

N. B. KELLER (Budget Analyst): Speaking for the Legislative Auditor, I believe his attitude is essentially that expressed by Mr. McCollister this morning. Certain moneys were appropriated. The program could best be served by acquiring rights of way and easements with construction to come later when the money becomes available. We recognize that some construction must be done in order to acquire some rights of way, particularly in the areas where there is the possibility of being shut out entirely due to factors of continued growth, etc. I think there should be some clarification regarding the amounts expended. Mr. Dickey made mention of $173,000 for 186 miles of completed trail. This covered the construction and acquisition of the 186 miles and the acquisition and preliminary miles that were simply acquired with nothing else being done.

DOLWIG: Do you have the figures on how many additional miles were acquired?

DICKEY: It might be well for you to furnish those to us.

KELLER: I will do that. I do not have the figures now. Chapter 1469, 1945; 486, 1947; and 112 in 1946. With the exception of 112, those moneys were revertible. There is 176,000 remaining almost indefinitely until it is expended. In addition to that out of support funds furnished to the Division of Beaches and Parks it was estimated during the fiscal year just closed, there was expended exclusively in furtherance of the riding and hiking trails program $47,000 out of regular support funds of the division. So, you have about $220,000 of gross cost for the 186 completed miles of trail.

DOLWIG: Where does that $47,000 come from?

KELLER: That's out of their regular support budget that the department gets every year. The Governor's Budget has in the Division of Beaches and Parks a Division of Acquisition and Engineering. However, I would like to make a further point in connection with that money. Colonel Kelton pointed out that he lost some men. That is true. The comfort stations and the picnicking and camping, that sort of thing was curtailed. At the last session they got only enough to cover the most essential needs for that year. As a result of that cut back we recommended a cut in their staff. Of the $175,000 remaining in Chapter 112, that money is expendable as they see fit and it can be expended for salaries and engineers. These people do not appear in the regular budget.

DOLWIG: After an appropriation is made for a certain project ——

KELLER: They can go out and hire engineers and pay them out of those funds. They could use the $175,000 which is not revertible for

salaries and wages over a long period and use the revertible moneys for acquisition.

DICKEY: Are both of these sums of money earmarked?

KELLER: Yes, for riding and hiking trails.

DICKEY: There was no appropriation in the 1949 Session?

KELLER: $300,000 was the amount of Chapter 112.

DICKEY: How many miles was completed of the $300,000 amount? Do you have any knowledge of how they expended the $125,000?

KELLER: Other than the figures supplied me by the Division of Beaches and Parks, I have not had the time to go over any of the trails

DICKEY. What does their report show as to how they spent the $125,000

KELLER: I have a summary here Their summary shows this is as of March 31, 1950, and at that time the figure was $106,000. The figure they gave you was for August 1st. Anyway you have an additional few months added and which made the $125,000. Out of that $106,000, $23,748 was for salaries and wages, $10,000 for operating expenses, $18,000 for equipment and $1,161 for rights-of-way and title insurance and improvements and construction was $53,000. That makes up the total of $106,000.

DICKEY What is the total amount since 1946 expended by this department?

KELLER: Out of the specific appropriations from July 1, 1945, to March 31, 1950, it was $154,694 This doesn't include the money spent out of their regular support budget. It was $40,000 out of this year just closed. We passed on the budget requested and they estimated about $70,000 in their regular support budget would be expended for riding and hiking trails which included $39,000 for salaries and wages, $31,000 for operating expenses. Now that last figure brings me up to the final objective in connection with the whole idea of the 3,000-mile loop trail If we are to acquire a great deal of right to use federal trails and simply consider them part of the stretch as you mentioned today, we would still have about 2,000 miles that would be entirely state-owned and certainly state maintained On the basis of a sum of $15,000 for the 1950-51 Fiscal Year, this was exclusive of personnel, operating expenses only, on the basis for 200 completed miles, say they have a total of 300 miles for that they contemplate expending $15,000 in maintenance. That was tentative, it may have been changed and probably has been changed The exact figures I do not have now but I will have them.

DICKEY: Would they give you any reasons why they did not expend this money that was revertible?

KELLER: Frankly, no. I did not ask that question They have not given me this information All the facets of this thing do not come out at one time We bear in mind the fact that you cannot compare a state-owned and operated trail system with systems similar to those mentioned by Mr. Campbell today. These are trails which will be used by the general public. Consequently, since this is state-owned, people will be taking liberties which may result in claims against the State. If a horsemen is injured because the trail fell away, he would probably sue the State or attempt to sue the State. Consequently, despite the very best intentions, I think in time to come there will be more pressure for the State to patrol the 2,000 miles the State would own. Well, you could guess what that would cost.

DICKEY: Have you made any comparison with the cost, say, well in comparison with the trails in the Alleghenys?

KELLER: No. I do know something about the Appalachian trails. It is entirely different than ours. Riders go over it with guides. They have to stick with these groups. They are operated on an entirely different basis.

DICKEY: Other than the tours, I was thinking of the cost of construction and maintenance

KELLER: No, we haven't made any study of that.

DOLWIG. If Mr Keller has the time and if it is possible to furnish it to the committee, I think we should have a full auditing report relative to the riding and hiking trails program.

KELLER: If you will send a letter to Mr. Post, that will be done.

PHILLIPS: I think the horsemen in my area are interested in knowing if the Legislative Auditor's office is in a position to say, is the program as justified as when the Legislature set it up or if there is hostility to it and that it may, sometime in the future, be abandoned? Are the horsemen butting their heads against the wall or has this program basic merit and justifies the cooperation of all of us and we can continue to work for it and look forward to its completion.

KELLER· The Legislative Auditor is faced with the problem and faced with it by the Joint Legislative Budget Committee to see that cuts can be made, he has to weigh one thing against another. The most important things should take the least cuts and the least important things take the biggest cuts In some cases it is impossible to do away with some things Some of the services could be reduced probably to save money where it has to be saved.

DICKEY: That resolves itself down to the personal opinion of the Legislative Auditor. You feel that we are influenced by the Legislative Auditor?

PHILLIPS: I think you should be. I think that's what you have him for. Should the program be abandoned, the Legislative Auditor might make this recommendation. I don't say that he has this in mind but we are wondering if this might happen. Cut out the entire appropriation requested without the horsemen knowing why. They could interpret that this program should be terminated now before it gets any further.

DICKEY: But his recommendation, it might not go into the original budget.

PHILLIPS: So, well I just thought maybe the Legislative Auditor would have that opinion. The interested groups should have a statement from him to that effect to clarify the atmosphere on it.

KELLER· There probably was question in recommending against more money in the 1949 session because they never did get around to spending what they had.

DICKEY: Why didn't you use this money? I think we should ask them why they did not use this money.

KELTON: It just got that way in the last two or three months

DICKEY: You mean since this committee was formed?

KELTON: No, possibly five months. You get rights of way for say 20 miles, and then there is a gap in it. We don't dare start spending funds on construction until that gap is closed. I think the construction will step up considerably.

DOLWIG: What is holding back the construction?

KELTON: The U. S. Forest Service, which I hope is being approved. As soon as we have that, about $2,500 are ready to obligate in Yuba County.

DOLWIG: In Butte County, it was started about in 1945 wasn't it?

KELTON: Yes. We have done considerable work in that forest.

WARREN: There is one other consideration there too. It is carrying this work out and the Forest Service doing the actual work, they are limited to the amount of effort they can put out in any one year by the number of supervisory personnel that they have on the force which they can divert from other projects to this project. In other words, if we were to furnish them with enough money to do the full construction necessary in a single year, they would not be able to do that full construction because they would not have the personnel ready. They can hire laborers, carpenters, or other such work that is needed on the trail program, but they have a certain set number of supervisory personnel on their force who have a large number of jobs to perform during the year, including forest fire protection, and we did have that trouble in Butte and Plumas this year. We didn't finish what we had expected because a large amount of the personnel was taken off to fight the forest fires a few months ago They have a very short working year.

DICKEY: You are giving state money to the national forest to cut the fire breaks. Is that right?

WARREN: No, to cut trails. Not as fire breaks.

DICKEY: And how wide are they through the National Forest?

WARREN: They vary from 30 feet to 40 feet.

DICKEY: What are we paying them?

WARREN: As it has worked out so far, they have constructed approximately 11 miles of trail and refurbished about 24 miles and rebuilt a bridge for about 23 or 24 thousand dollars.

DICKEY: You say refurbished—that is an old trail they have gone over?

WARREN: That is right.

DICKEY: In the construction of the bridge—how much was that?

WARREN: We haven't the entire cost of reconstructing that bridge.

DICKEY: There was a federal trail to start with.

WARREN: It was a trail of sorts. The first time I went down that trail at the bridge the grades averaged between 42 percent and 48 percent, with a couple of cables swinging across the river.

John M. Diggs, member of the Advisory Committee, was called on next to answer some questions asked by Mr. Dolwig.

DOLWIG: Why was the Butte-Plumas project selected? I understood that those counties that got in their master plans first received consideration. Sonoma County said their master plan was in before these. Is that correct?

DIGGS: Yes, that is right.

DOLWIG: Why wasn't that given preference?

DIGGS: We have tried for two years, and let us remember that the legislation for this program did not become effective until July 1, 1946, that is approximately four years ago. The first two years we spent a great deal of time trying to get the cooperation of the counties and interested groups in these counties to submit these plans. We didn't know, when we first started this, because no one had ever had experience, and we had to work out a means to an end. It was all experimental. Nothing

like it had ever been attempted in this State or any other state, so we had to go around to these counties and work out plans with the Boards of Supervisors in Sonoma County and San Mateo. San Mateo was the first county to be approved by the board of supervisors and by this committee. We finally began getting a few of these counties to come in, and after the first year we began getting three or four of these counties completed, then we had to wait for others to be completed. In the meantime we had never had experience in acquiring rights of way, so that was difficult. In January, 1949; the acquisition program was turned over to Mr. Hennessey in the Division of Beaches and Parks and we feel that they have had exceptional success in acquiring the rights of way. I personally feel that with Mr. Hennessey's department knowing and doing what he has about the project that they can successfully bring this to a conclusion with condemnation. It has been rather expensive but now we have the thing to the point that we know where we are going and for the first time we have a backlog of rights of way in each county, which is something we haven't had in the past. This is why some of those funds had to revert. We promised the Park Commission we would never approve a project until the program was contiguous.

DOLWIG: Why did Plumas get priority over Sonoma?

DIGGS: I think it was because of the fact that a large portion of the trail went through federal forest areas and after batting our heads against a stone wall we were looking for some place to begin building trails. It is a trail of great scenic beauty. It is a trail that is being used considerably.

DOLWIG: Is that the basis upon which the Advisory Committee made the recommendation to the department?

DIGGS: Yes, as far as I recall. I think it might be well to point out that this trail is 3,000 miles long. That is a lot of trail. It is a big State and this is a new program. The four years we have been working on it is not a long time, though it seems like a long time. But we entered into this without too much experience, in fact, none, and we tried to do it expeditiously and economically. It is true this was all new to the department too, and they had no organization set up to handle it. I feel that while we acknowledge we made some mistakes on the thing, it is mistakes we won't make again. Mistakes we made such as in Contra Costa County are minor and easily corrected. I would say we have actually only had two years in which to work this program. For the first two years we were just groping around trying to find how to get the job done. I know that the State Government is not much different in its operation than the others. I feel there are two ways to do it. That is the right way and the state way. You see it every day, Mr. Dickey, and know it better than I do. There were six business men up to the time Mr. Jorgensen passed away, trying to advise on it. They have been honest, conscientious, and sincere. A lot of fellows criticize us because we don't advise them of the meetings. There has never been a meeting held that Mr. Ray Stone was not advised of. We can't advise all 250 clubs but we expect Mr. Stone to do this. We have had from 12 to 25 horse people at the meetings, and we have encouraged them to come to these meetings. I openly admit we made mistakes in Contra Costa County because it was the first time we had experience. We should have been down there before we went to work at all. I think we could have convinced them to do some things differently but we can't drag this committee all over the State because it is too expensive. So we have kept our

meetings confined to Sacramento because of the expense. That is one of the reasons we haven't got around and looked at this thing with our own eyes. We have depended on the Engineering Department of the Division of Beaches and Parks.

DOLWIG: Don't you think this meeting has been helpful?

DIGGS: I think it is very helpful and I am greatly pleased. I think in hearing these things aired the way we have it has been very beneficial and we have a better knowledge of the problems that confront us.

With the help of Mr. Hennessey's department we can keep well ahead of our backlog of counties so that we can proceed with the construction. That will more or less keep up with the thing. I think we can keep up enough counties so that we will never have to let these funds revert. A meeting like this affords us a great opportunity to get us all better acquainted with the program.

The committee next called on Arthur Johnson, a member of the Sierra Club of Los Angeles, representing the advisory committee.

JOHNSON: I am vice chairman of the advisory committee and a member of the Sierra Club of 20 years standing. There are two or three items I would like to read into your record, because I think they are something that might be clarifying. On August 11, 1947, we approved the master plan for the Butte and Plumas section. On the minutes of November 3, 1947, Mr. Jorgensen reported relative to Sonoma County that the interest was there but that the county supervisor's attitude was not too enthusiastic.

DOLWIG: I would like to clarify any misunderstanding there might be. I am trying to find out what the policy of the advisory committee is because as I look at the map I see you have taken care of San Diego and Los Angeles, then you go way up where there are few people and your main project has been there, and I am wondering why.

JOHNSON: I think Mr. Diggs said that the policy has been to spend money only after the acquisition has been completed. San Mateo County is not yet ready, or is just beginning to be ready, and until a short time ago we had no right of way there. Because we had money to spend, we went to those counties where we did have rights of way we could work on. Butte and Plumas County and Los Angeles County were some of them.

DOLWIG: As I understand it, no effort was made in Sonoma to do this, due to that one man.

JOHNSON: Getting into and out of a county is one of our most important problems Therefore we wanted to be sure we could get through Marin County before we went into Sonoma County.

DOLWIG: Contra Costa is just one leg of the trail anyway. There is no continuous trail completed any place.

JOHNSON: You have heard the testimony here from different groups today We, being a public body without any powers other than advisory, are subject to pressure We received pressure from various groups to construct trails.

DOLWIG: That is the best answer I have heard.

JOHNSON That is all I have to say from the point of the advisory committee.

I presume that you gentlemen are familiar with the Sierra Club It was organized in 1892, and its prime purpose is that of a conservation

program, to lobby for the conservation of our natural resources in California. As it has grown it has expanded its activities outside of California. It was instrumental in having the Valley of Yosemite placed in the federal park It used to be in the state park. They take great pleasure in their efforts in creating various parks and as the result of being outdoor persons, the activities have become quite widespread. We have a skiing and hiking organization. Not all of them get out on the trail, they are merely members because they believe in the purpose of the club. In the last few years they have branched out and this year had a burro trip. There are about 1,000 members that are on the various club trips, one of which happens to be a motor trip into Arizona. The interest of the group is primarily hiking. We have a group who are rock climbers. A hiking trail in the higher elevations would be more to their liking, and I might say as far as the Sierra Club is concerned, they haven't been too interested in the program because they thought it was an equestrian trail, which wouldn't be to their liking. Generally speaking they get back into the higher country, so that development of the trail originally at a lower elevation did not interest them. Only since the trail was forced to higher elevations have they been interested. Just last month they recommended to the advisory committee that the trail be rerouted in Riverside County to a more desirable route It would not detract any from the riders' enjoyment, but it would add to the hikers'. And I think as this progresses and we find we have to go into other areas, that their interest will grow. It was suggested that the trail be put on the back range. It is a more desirable trail from the standpoint of the riders and the hikers as well. So they have become interested. It has only been as the trail has progressed in the last year. In Riverside County they suggested a reroute. Up in this area the California Club held a protest meeting and invited the staff to come, protesting the use of a trail as part of the state system, because of the conflict between their ideas of a trail and the ideas of the horsemen in the same area. I think it can be worked out to mutual benefit. But as you see there is difference of opinion on the trail. I think as we have to go back into the National Forest there are a lot of good areas.

DOLWIG: 4,000 or 5,000 foot level is what the hikers would prefer?

JOHNSON: I think so.

Dan Beebe, a member of the advisory committee from Oroville, testified as follows:

I have very little to say except that I want to add something that John Diggs said. This is one of the finest things that has happened. I have learned more today about the master trail than ever before. We meet infrequently. We don't meet often because we want to keep expenses down. I have enjoyed today's meeting immensely. Why was it that Butte-Plumas Counties got ahead of Sonoma? You fellows are in politics and will understand. You will recognize the truth of the old adage that the squeaking wheel is the one that gets the grease. Well, I was the squeaking wheel. I got my master plan in a hurry. I was the chairman of the Butte-Plumas Committee. It was in Butte and Plumas Counties that we broke the rule that it should stay below the 2,500-foot level. We gave them easy rights of way and they were eager for a place where they could get rights of way and stop arguing about it. I was not then a member of the advisory committee. Sonoma did not squeak. I have made inquiry today and not a member of the committee or any horseman came in again to the committee. It was easy to forget an outfit like that. I believe that is all I have

to say. I want to again state that I am very grateful myself that I was able to attend this hearing.

KELTON: I would like to add a set of maps to the exhibit. This is the general index map. These are the four counties, San Diego, Los Angeles and——

DOLWIG: Does this include all the construction and——

KELTON: It includes the completed trail that is under construction and that on which we have the right of way and that where we have no right of way. We also compiled a complete topographical map of each portion of the trail showing property owners, those acquired and those not acquired, but we did not have it in time to produce at this hearing. There was one other question which we might add. The question about the cost of maintenance of trails. I have the annual report of the Secretary of the Interior, National Parks Service. On page 304 of that report estimates are given for maintenance of roads Approximately 75 percent for trails. The figure is $59 per mile of the total roads and $320 per mile for road maintenance and $42 per mile for trails. That gives some idea of the cost in the future.

RECOMMENDATIONS

1. That the riding and hiking trail program be completed and that sufficient appropriations be made as necessary to bring this about within a reasonable period of time.

2. That the Division of Beaches and Parks secure more help in the acquiring of rights of way. With the development of our rural areas and the increasing difficulty in securing rights of way it is important that this phase of the program be given first priority, and at least that much construction be accomplished that will keep those commitments made by the division to assure rights of way.

3. That the trail be left in as simple and natural a state as is consistent with safety.

4. The committee commends the National Forest Service for their cooperation on the trails program and recommends that the California Division of Forestry be called upon for assistance whenever possible, that their rights of way may be included in the trail system wherever it is found practical, and that some of their stand-by employees be used in construction and maintenance in the interest of economy.

5. That an interim committee of the Legislature be created with sufficient funds allocated to carry on during 1951 and 1952, and that the interim committee submit a report of its findings to the 1953 Legislature.

CONCLUSION

It is the conclusion of the committee that due to the unusual nature of the trail and of the problems confronting the acquisition of the rights of way, and the fact that every step of the way has been a trial and error method due mostly to the lack of eminent domain, that no great amount of undue criticism should be directed at the Division of Beaches and Parks, but rather that they be commended for their ability and persistence in many instances where they have been working under considerable difficulty.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Brown and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. T. R. Robinson of Modesto, Kenneth E. Steven of Modesto, Mrs. Helen Azevedo of Ripon, Mrs. Frank H. Ecker of Modesto, and Leroy Nordfelt of Ripon.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. H. Frame of Elk, Mendocino County, California.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Harold Lane of Los Angeles.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Lee M. Roberts of Richmond.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Virgil Pinkley of Los Angeles, Editor and Publisher, *Los Angeles Mirror.*

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to I. M. Bayliss of Fresno.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Al Gayle of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Colonel C. A. Lundy of Blairsden, and Mr. E. M. Hamlin of Reno, Nevada.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Lawrence Curtis, and Mr. Lewis McKeown of Santa Clara County.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Capt. and Mrs. Robert Hager of Los Angeles.

On request of Messrs. Kilpatrick and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Harvey M. Toy of San Francisco; and Mrs. Richard Pollard of Honolulu.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, January 22, 1951, and for Tuesday, January 23, 1951, were approved as corrected by the Minute Clerk.

ADJOURNMENT

At 10 p m. Tuesday, January 23, 1951, in accordance with the provisions of Senate Concurrent Resolution No. 14, Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for adjournment for the constitutional recess of the 1951 Regular Session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until 12 m., Monday, March 12, 1951, out of respect to the memory of the late Alexander Watchman, the late James H. McClelland, and the late Fred M. Wolford.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 12, 1951

At 12 o'clock m., pursuant to the requirements of Section 2, Article IV of the Constitution of the State of California, and to the provisions of Senate Concurrent Resolution No. 14, the Assembly was called to order.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy name.

Bless the presiding officer of this Assembly, the Governor of our State, the President of the United States, and all who bear the responsibilities of office. Fill our hearts with Thy presence that we may say, "I will bless the Lord at all times; His praise shall continually be in my mouth."

"God of the earth, the sky, the sea!
Maker of all above, below!
Creation lives and moves in Thee,
Thy present life through all doth flow
We give Thee thanks, Thy name we sing
Almighty Father, Heavenly King."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kelly, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Lincoln
Mr Lipscomb, on motion of Mr. Lincoln
Mr. Cooke, on motion of Mr. Lincoln.
Mr. Levering, on motion of Mr. Lincoln
Mr. McCarthy, on motion of Mr. Connolly.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag

ANNOUNCEMENT

Speaker Sam L. Collins announced that Messrs. Butters and Lipscomb, who have been seriously ill, are fast recovering, and hope to resume their seats on the floor of the Assembly at an early date.

COMMUNICATIONS

By order of Speaker Sam L Collins, the following communications were deemed read, ordered either noted, or printed, in the Journal, and appropriate action on attached items indicated as set forward below:

By the Chief Clerk:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., January 26, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
State Capitol, Sacramento 14, California

DEAR MR OHNIMUS: May I say that I heartily agree with the Assembly Joint Resolution No 1 urging the President to petition the British Government to refrain from supplying rubber to the Chinese Red Government. I voted for the resolution urging the United Nations to brand Communist China as an aggressor.

Sincerely yours,

NORRIS POULSON, M C.

By Speaker Sam L. Collins:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, January 24, 1951

Hon. Sam L. Collins, Speaker of the Assembly
California Legislature
State Capitol, Sacramento, California

MY DEAR MR. COLLINS: I have the honor of transmitting herewith a copy of the Biennial Report of the Department of Corrections for the Years 1949-1950. This report outlines the progress made by the department, its agencies and institutions during the past two year period, and the proposed plans to meet the ever increasing needs of the growing inmate population.

May I also, at this time, express my appreciation to you for the cooperation you have given to me and the agencies of the department during the past years

Sincerely,

RICHARD A. McGEE
Director of Corrections

Above transmitted report ordered referred to the Committee on Judiciary.

By the Chief Clerk:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 24, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: In accordance with Section 143.2(f) of the Streets and Highways Code, there are transmitted herewith for the use of the Members of the Assembly, 300 copies of the budget report of the Division of Highways as included in the Governor's Budget submitted to the 1951 Session of the Legislature. A limited number of additional copies are available, if needed.

Respectfully submitted,

C. H. PURCELL
Director of Public Works

Above transmitted copies of report ordered distributed to members and to be placed upon their desks.

By Speaker Sam L. Collins:

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, January 30, 1951

Hon. Sam L. Collins
Speaker of the Assembly, California Legislature
State Capitol, Sacramento, California

DEAR MR. COLLINS: Thank you for your letter of January 25th, acknowledging receipt of a copy of the Biennial Report of the Department of Corrections for the years 1949-1950.

In accordance with your suggestion, we would be pleased to have note made in the Journal concerning our report when the Legislature reconvenes in March.

Sincerely yours,

RICHARD A. McGEE
Director of Corrections

By the Chief Clerk:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., January 29, 1951

Mr. Arthur A. Ohnimus
Chief Clerk, State Assembly
State Capitol, Sacramento 14, California

DEAR ARTHUR: Thank you for transmitting to me Assembly Joint Resolution No. 1, relating to aid to our enemy. Every citizen, I am sure, was shocked to learn that Kremlin-controlled governments were obtaining potential war materials, even after the breaking out of war between the free nations and those within the orbit dominated by the Kremlin.

Please assure the members that I shall do everything that I possibly can to prevent such shipments in the future.

With kindest regards.

Sincerely,

SAM YORTY, M. C.

By the Chief Clerk:

THE STATE OF WYOMING
SENATE CHAMBER, THIRTY-FIRST STATE LEGISLATURE, February 2, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Sacramento 14, California

DEAR SIR: This will confirm your letter of January 31st, addressed to the Legislature of the State of Wyoming, and enclosing a copy of Assembly Joint Resolution Number 4.

The matter has been called to the attention of the President of our State Senate and I have been instructed to inform you that it is extremely doubtful that this session of the Wyoming Legislature will be able to take any action on the resolution, as the deadline for the introduction of bills, resolutions, etc., into our body was on January 27th.

Very truly yours,

WILLIAM A. RINER, JR., Chief Clerk
Senate, State of Wyoming

By the Chief Clerk:

STATE OF COLORADO
SENATE CHAMBER, DENVER, February 5, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: This is to advise you that the Colorado State Senate is in receipt of copy of your Assembly Joint Resolution No. 4, and has today introduced in the Senate a Senate Joint Memorial No. 7 along the same line as your Assembly Joint Resolution No. 4.

Very truly yours,

MILDRED H. CRESSWELL
Secretary of the Senate

By the Chief Clerk:

STATE OF IDAHO
SENATE CHAMBER, BOISE, February 5, 1951

Assembly, California Legislature
State Capitol, Sacramento 14, California

ATTENTION MR. ARTHUR A. OHNIMUS, CHIEF CLERK

GENTLEMEN: This will acknowledge receipt of a copy of Assembly Joint Resolution No. 4, which was adopted by the California Legislature on January 22, 1951.

The subject-matter of the joint resolution will be presented to the Idaho Legislature within the next few days and I feel reasonably sure that the Idaho Legislature will take appropriate action. Your thinking is very similar to ours in this matter.

Very truly yours,

E. J. SOELBERG
President pro Tempore

By the Chief Clerk:

STATE OF KANSAS, HOUSE OF REPRESENTATIVES
TOPEKA, February 5, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Sacramento, California

DEAR SIR: With reference to your inquiry of January 30th enclosing copy of your Assembly Joint Resolution No. 4, relative to certain rights of coastal states, you are advised that no proposal of this nature has ever been presented.

Very truly,

H. W. CRAMER, Chief Clerk

By the Chief Clerk:

SWING AND GILLESPIE, ATTORNEYS AT LAW
SAN BERNARDINO, CALIFORNIA, February 14, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR ARTHUR: I came into my office today and found your letter of February 10th and, likewise, the illuminated copies of House Resolution No. 57, relative to my retirement from the Senate.

It was indeed gracious of the Assembly to adopt such a complimentary resolution. I feel deeply indebted to the Assembly, and particularly to Assemblymen Evans and Lyon for introducing it and presenting it to the Assembly. I am causing it to be framed and it will hang alongside the Senate resolution expressing somewhat similar sentiments.

Many thanks for your participation in the matter.

Sincerely,

RALPH E. SWING

By Speaker Sam L. Collins:

February 15, 1951

DEAR MR. COLLINS: Will you please convey to the Members of the Legislature my deepest appreciation for two silver place settings and two extra teaspoons as a wedding gift by the generosity of your members.

Many, many thanks.

Sincerely,

GRACE O. CONRAD
(Mrs. Chas. J. Conrad)

By the Chief Clerk:

CITY OF SUNNYVALE
CITY HALL, SUNNYVALE, CALIFORNIA, February 17, 1951

Assembly California Legislature,
Sacramento 14, California

ATTENTION: ARTHUR A. OHNIMUS, CHIEF CLERK

GENTLEMEN: The City Council of the City of Sunnyvale wish to express a vote of thanks and gratitude to you in adopting the Assembly Concurrent Resolution No. 14.

Very truly yours,

IDA TRUBSCHENCK, City Clerk

cc to Robert C. Kirkwood

By the Chief Clerk:

SACRAMENTO, CALIFORNIA, February 21, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR ARTHUR: Please will you express to the Members of the Assembly the sincere appreciation of my family and myself for the lovely floral wreath which the Assembly sent to the funeral of my beloved mother.

Will you also please extend our appreciation to the Assembly attaches for the beautiful floral pillow which they sent.

I cannot find words to express the depth of gratitude we feel for the kindness and sympathy they expressed to us in our bereavement.

Sincerely,

ELEANOR DONOGHUE

By Speaker Sam L. Collins:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF MENTAL HYGIENE
THE LANGLEY PORTER CLINIC, SAN FRANCISCO, February 27, 1951

The Honorable Sam L. Collins, Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR MR. SPEAKER: In accordance with Section 4, Assembly Bill No. 98, I am submitting my report of the research work that has been carried out on the problem of sex crimes and my recommendations for the research for the coming year.

In this report I ask for a budget for $140,000 for the Fiscal Year 1951-1952 and give in detail the researches for which this money is requested. If you wish any further information, I shall of course be only too happy to give it to you.

I enclose two copies of my report which I am required to submit to the Legislature. This is stipulated under Section 4 of the act, which reads as follows:

> "The Superintendent of Langley Porter Clinic shall make a written and detailed report of the activities and studies under this act and his findings and recommendations relating thereto and file the same with the Governor and the Legislature not later than March 1, 1951. In this report said superintendent shall outline such further research program as he deems it desirable to undertake and shall outline the more promising avenues of research. Said superintendent may include in such report such bibliography of materials for study as he deems appropriate."

Very truly yours,

KARL M. BOWMAN, M.D.
Medical Superintendent

Above transmitted copies of report ordered referred to the Committee on Judiciary.

By the Chief Clerk:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, February 28, 1951

RE: H.R. 77, 1950 First Extraordinary Session

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Under date of January 3, 1951, we forwarded to you six copies of a report which had been prepared in accordance with the request contained in

House Resolution No. 77. By this resolution the Department of Public Works, Division of Highways, was requested to make a survey to establish the most feasible location for a state highway route from State Highway Route 2 in the vicinity of Reseda Boulevard to State Highway Route 60 in the vicinity of Santa Monica and Sunset Boulevard, and to report thereon to the Assembly not later than January 15, 1951

By reason of typographical errors in the report forwarded to you on January 3, 1951, it has been necessary to make certain corrections. There are attached hereto six copies of the corrected report. Will you please substitute these six copies for the ones that were forwarded on January 3 and destroy the copies forwarded to you at that time?

Very truly yours,

C. H. PURCELL
Director of Public Works

Above six copies of corrected report ordered referred to the Committee on Conservation, Planning, and Public Works. (Above mentioned communication was printed in the Assembly Journal on January 10th.)

By Speaker Sam L. Collins:

Hon. Sam L. Collins
Speaker of the Assembly
North Cypress Avenue
Fullerton, California

DEAR MR COLLINS: We earnestly solicit your support.

CALIFORNIA STATE JUNIOR CHAMBER OF COMMERCE

Resolution

WHEREAS, The California State Junior Chamber of Commerce has long interested itself in the welfare of youth and the promotion of positive educational programs for the children of our communities and our State; and

WHEREAS, The Legislature of the State of California meeting in Session in 1947 has passed the California Academies Act, to provide a twenty-four hour school for homeless, neglected, and abandoned children; and

WHEREAS, The need for these schools is both immediate and great in order to help those less fortunate children who have become dependent upon our society; therefore be it

Resolved, That the California State Junior Chamber of Commerce meeting in the State Board Session this twenty-fourth day of February, 1951, do hereby, urge that necessary steps be taken immediately to bring about the said schools for homeless, abandoned and neglected children; and, therefore be it further

Resolved, That copies of this resolution be forwarded to the Hon Earl Warren, Governor of the State of California; the Hon. James Dean, Director of the Budget; the Hon. Goodwin Knight, President of the State Senate; the Hon. Harold J. Powers, President pro Tempore; Hon. Sam L. Collins, Speaker of the Assembly, and interested committee chairmen of both houses, and that copies of this resolution be printed in the respective Journals

The foregoing resolution was unanimously adopted this twenty-fourth day of February, 1951.

EVERETT S. ROSS, President
California State Junior Chamber of Commerce
GEORGE WAITE, Executive Secretary
California State Junior Chamber of Commerce

By the Chief Clerk:

DEPARTMENT OF COMMERCE
NATIONAL PRODUCTION AUTHORITY
WASHINGTON, March 5, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: The White House has referred to us your little note of January 25th, enclosing copies of the Assembly joint resolutions numbered 3, 7, and 11

It would seem to be the sense of these resolutions to have the National Production Authority issue a blanket priority to the counties of Los Angeles for the materials and equipment required in connection with their pollution control program, but we regret to advise that no provisions have been made for the issuance of such blanket authority.

I would suggest, therefore, that the Air Pollution Control Committee of Los Angeles search and exhaust all of the local sources for such materials and supplies from the sources from which they regularly purchase their supplies and equipment,

and in the event that they are unable to procure one or two of the critical items, we will be glad to undertake to assist them toward their procurement when such checks will have been developed by their purchasing sources.

We wish to assure you that we are keenly conscious of the important part of the defense program represented by that industrial area and will be glad to exercise what assistance we can render to the utmost on their behalf.

With kindest wishes, I am

Very cordially yours,

LEWIS ALLEN WEISS, Director
Office of Civilian Requirements

By the Chief Clerk:

Letter of Transmittal

DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS
DIVISION OF ADMINISTRATIVE PROCEDURE
SACRAMENTO, CALIFORNIA, March 6, 1951

Chief Clerk of the Assembly
State Capitol, Sacramento, California

RE: Third Biennial Report

DEAR SIR The Division of Administrative Procedure herewith presents to the Assembly its Third Biennial Report

Respectfully submitted,

COLEMAN E. STEWART, Chief
Division of Administrative Procedure

Above transmitted report ordered referred to the Committee on Governmental Efficiency and Economy.

By Speaker Sam L Collins

Letter of Transmittal

STATE OF CALIFORNIA
STATE EMPLOYEES' RETIREMENT SYSTEM
SACRAMENTO, March 8, 1951

Honorable Sam L Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. COLLINS. Section 9354.3 of the Government Code provides that a copy of the Annual Report of the Legislators' Retirement System shall be transmitted to each house of the Legislature not later than March 15th. Each member of the system was sent a report in January.

In conformity with the requirement of law, a copy of the annual report for the fiscal year ending June 30, 1950, is transmitted herewith to the Assembly.

Yours truly,

EARL W CHAPMAN, Executive Officer

Above transmitted report ordered referred to the Committee on Civil Service and State Personnel.

By Speaker Sam L Collins:

YOUTH AND GOVERNMENT PROGRAM
PACIFIC SOUTHWEST AREA COUNCIL OF THE NATIONAL COUNCIL
OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS
March 8, 1951

DEAR MR. SPEAKER. I have been instructed by the Members of the Assembly of the Third Annual Y. M C. A Youth and Government Program to convey to you our sincere appreciation for the use of the facilities in the Assembly Chamber. I should like to ask you to also express our appreciation to the Members of the California State Assembly

For the past three years we have accepted the honor of meeting in the Assembly Chamber, and I feel that I speak for the entire membership in expressing our deepest appreciation for this privilege

Thank you once again

Sincerely yours,

RUTH COOKE
Chief Clerk Assembly, Model Youth Legislature
14741 Valerio Street, Van Nuys, California

Assembly Concurrent Resolution No. 5

Introduced by Miss Brown and Miss Fleckenstein, representing Modesto and Ceres Tri-Hi-Y Clubs, February 24, 1951

WHEREAS, The California State Legislature has extended the use of the Capitol facilities for the Third Annual YMCA Youth and Government Model Legislature; and

WHEREAS, Democracy must be learned by each generation in order to keep our cherished form of government vital and alive; and

WHEREAS, The youth of the State of California appreciate the annual opportunity to acquaint themselves at first hand with the extremely important job of their legislative representatives; be it

Resolved by the Assembly of the Third Annual YMCA Model Legislature, the Senate thereof concurring, That the participants of the Third Annual YMCA Model Legislature extend to the Members of the Legislature a vote of thanks and appreciation; and be it further

Resolved, That the Chief Clerk of the Assembly of the YMCA Model Legislature convey this resolution to the Speaker of the Assembly of the State of California, Sam L. Collins, and that the Secretary of the Senate of the YMCA Model Legislature likewise convey this resolution to the Lieutenant Governor, Hon. Goodwin J. Knight.

February 24.

Read and Adopted to Senate.

Read and Adopted by Senate to Assembly.

By the Chief Clerk:

Letter of Transmittal

CITY OF LOS ANGELES, CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING, LOS ANGELES

DATE March 8, 1951
FILE No. 70
SUBJECT Parkways General Proposed Freeway Construction Program

Mr. Arthur A. Ohnimus, Chief Clerk
The Assembly, California State Legislature
State Capitol, Sacramento, California

DEAR SIR: I transmit herewith, as directed, copy of the action taken by the City Council of Los Angeles on February 20, 1951, and a copy of a resolution adopted by the council on the same date relative to the construction of freeways in the Los Angeles area.

The action of the council refers to a report of the city engineer concerning this matter. Accordingly a copy of this report, dated January 19, 1951, is also included herewith. The report explains in detail the action taken by the council.

It is requested that you take appropriate steps to bring this action and resolution to the attention of the Members of the Assembly.

Yours very truly,

LLOYD ALDRICH, City Engineer

Above transmitted copies of report, action taken by the City Council of Los Angeles, and resolution ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Leo A. Harris, Director of Athletics, University of Oregon, relative to acknowledging receipt of House Resolution No. 24, and expressing appropriate comments, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication from Orlando John Hollis, Faculty Athletic Representative of the University of Oregon, School of Law, acknowledging receipt of House Resolution No. 24, and expressing comments appropriate to the resolution, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication and song entitled "California I Want to Rest In Your Arms" from Henry A Stein, were received, and ordered referred to the Committee on Rules

By the Chief Clerk:

A communication from Frank W Baily of Sunland, relative to increasing the pensions of former employees covered by the State Employees' Retirement Fund, was received, and ordered referred to the Committee on Civil Service and State Personnel.

By the Chief Clerk:

A communication from Harold L Bumbaugh of Hollywood, relative to the passage of Assembly Bill No 3096, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from Ramón Novarro of North Hollywood, relative to the passage of Assembly Bill No. 3096, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from Mrs Fleetwood Southcott of Woodland Hills, relative to the passage of Assembly Bill No 3096, was received and ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from Mrs. Lena Cahlan Mathews of San Francisco, expressing appreciation to Members of the Assembly for adopting a resolution in respect to the memory of her late husband, Mr A J Mathews, a former Assemblyman, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Victor O Schmidt, Commissioner of the Pacific Coast Intercollegiate Athletic Conference, acknowledging receipt of House Resolution No 24, and discussing details relating to the conference, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication and resolution from Al B Boyer, District Attorney of Auburn, relative to action taken by the Placer County Grand Jury of 1950-1951 regarding to conservation districts, were received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Durward V Sandifer, Acting Assistant Secretary of State, Washington, D. C., acknowledging receipt of Assembly Joint Resolution No 1 and enclosing a memorandum relative to action

taken by the General Assembly of the United Nations in regard to the shipment of rubber and other necessities to the Red aggressors in Korea, were received, and ordered referred to the Committee on Rules.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 12, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber, State Capitol

DEAR MR. SPEAKER: In compliance with House Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives, and makes the following recommendations.

Approved for Press Cards

Associated Press—Gene Kramer (replacing Richard D. Bieser, transferred).
United Press—Ed Capps (addition to staff).
Wall Street Journal—Al Calais.

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION TAKEN BY CAPITOL CORRESPONDENTS ASSOCIATION

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 12, 1951

Hon. Arthur A. Ohnimus, Chief Clerk
The Assembly, Assembly Chamber

DEAR MR. OHNIMUS: The following changes in the Capitol Correspondents Association lists are made necessary by the transfer of Lloyd Lapham to Washington, D. C.:

Substitute James C. Anderson, United Press, for Lapham as member of the standing committee, and vice president

Remove name of Lloyd Lapham from list accredited to United Press staff

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION TAKEN BY CAPITOL CORRESPONDENTS ASSOCIATION

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 71

Resolved, That the Speaker appoint a Select Committee of Three to notify the Senate that the Assembly has reconvened pursuant to Senate Concurrent Resolution No. 14 and is ready to proceed with the business of the State with all officers heretofore elected present, to wit:

Hon. Sam L. Collins ..... *Speaker*
Hon. Thomas A. Maloney ..... *Speaker pro Tempore*
Arthur A. Ohnimus ..... *Chief Clerk*
Geraldine B. Hadsell ..... *Minute Clerk*
Wilkie Ogg ..... *Sergeant-at-Arms*
Andrew J. Cecchettini ..... *Chief Assistant Sergeant-at-Arms*
Rev. Clarence A. Kircher ..... *Chaplain*

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 71, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 71, the Speaker announced the appointment of Messrs. Lyon, Gubser, and McFall as such Select Committee to wait upon the Senate

By Mr. Maloney:

House Resolution No. 72

Resolved, That a Select Committee of Five be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 72, at this time, without reference to committee or file

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 72, the Speaker announced the appointment of Messrs. Maloney, Lanterman, Parker, Evans, and Henderson as such Select Committee to wait upon the Governor.

By Mr. Dickey:

House Resolution No. 73

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrants on the proper fund in favor of the following Members and Officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr	Yuba City Sutter County	58	--	--	58	116	5 80
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	Gordon A Fleury	Sacramento, Sacramento County	--	--	--	--	--	-----
9	John E Moss, Jr	Sacramento, Sacramento County	--	--	--	--	--	-----
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7 30
11	Howard Q Parker	Stockton, San Joaquin County	48	--	--	48	96	4 80
12	John J McFall	Manteca, San Joaquin County	18	10	--	58	116	5 80
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	-	84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
22	George D Collins, Jr.	San Francisco, San Francisco County	90	--	--	90	180	$9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	Charles S Gubser	Gilroy, Santa Clara County	128	28	--	156	312	15 60
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	Wallace D Henderson	Fresno, Fresno County	169	--	--	169	338	16 90
35	William W Hansen	Fresno, Fresno County	169	3	--	172	344	17 20
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
39	H W Kelly	Shafter, Kern County	278	--	6	272	544	27 20
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Charles Edward Chapel	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Albert I Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Ernest R Geddes	Claremont, Los Angeles County	447	26	--	473	946	47 30
50	Thomas M Erwin	Puente, Los Angeles County	447	19	--	466	932	16 60
51	William A Munnell	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Holtzbaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Charles W Lyon	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	Patrick D McGee	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Carley V Porter	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Herbert R Klocksiem	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Stanford C Shaw	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	L Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1 034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside, Riverside County	512	--	--	512	1,024	51 20
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Ralph R Cloved	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	--	--	--	---	---	-----
Geraldine B Hadsell	Los Angeles, Los Angeles County	447	--	--	447	894	$89 40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	---	---	-----

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 73, at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Beck, Belotti, Berry, Brown, Burke Burkhalter, Caldecott, Chapel, Clarke Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig Doyle Dunn Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 74

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail, and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail, and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25)

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No 74 at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier Condon, Connolly, Conrad, Davis, Dickey Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick, Kirkwood Klocksiem, Lanterman Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 75

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 75, at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 76

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$484.16
Department of Finance (pro-rate cost of telephone service)	178.39
Department of Finance (typewriter service)	76.04
Department of Finance (mimeograph service)	5.40
Department of Finance (repairing locks and desk)	7.86
Department of Finance (telephone directories)	6.00
The Pacific Telephone & Telegraph Co. (service, equipment and tolls)	171.63
Western Union (telegrams)	24.36
Secretary of State (photostats)	2.10
The Shasta Water Company (drinking water)	14.64
Senator Florists (floral piece—Mrs. Olbrich)	15.45
Pollock's Flowers (floral piece—Mrs. Butters)	20.70
Cascade Towel Supply (towel service)	42.90

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 76, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

By Mr. Dickey:

House Resolution No. 77

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed

to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same

Commencing Monday, March 12, 1951	*Per day*
Chief Clerk, Arthur A. Ohnimus	$25.00
Minute Clerk, Geraldine B. Hadsell	15 00
Sergeant-at-Arms, Wilkie Ogg	15 00
Chaplain, Rev Clarence A. Kircher	5 00
Assistant Chief Clerk, Harold F. Lewright	15 00
Engrossing-Enrolling Clerk, Charles W. Robbins	14 00
History Clerk, Ethel E. Brockelbank	13 00
File Clerk, Ruth Riley	12.00
Assistant Clerk, John R. Wendt	12 00
Assistant Clerk, Paul F. Crum	12 00
Assistant Clerk, Robert W. Crown	12 00
Journal Clerk, Walter W. Feeley	12 00
Assistant at Desk, William J Greene	11 00
Chief Assistant Sergeant-at-Arms, Andrew J. Cecchettini	13.00

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 77, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 78

Relative to distribution of California Blue Book

WHEREAS, The 1950 California Blue Book has been published and distributed, and

WHEREAS, The California Blue Book contains useful and valuable information pertaining to this State, its resources, industries, and government; and

WHEREAS, The 13 new Members of this Assembly have not received copies of this book, now, therefore, be it

Resolved, That the Chief Clerk is authorized to deliver to each of the 13 new Members of the Assembly for the 1951 Legislative Session five copies of the California Blue Book, and one copy each to accredited news services and newspapers as published in the Semi-final History of 1951

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No 78, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Dickey:

House Resolution No. 79

Resolved by the Assembly of the State of California, That all bills set for hearing by any Assembly committee, except the Assembly Committee on Rules, must be published in the Daily File not less than three days in advance of such hearing such action to take effect beginning Monday, March 19, 1951

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 79, at this time, without reference to committee or file.

Resolution read, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 28: By Mr. Kirkwood—Relative to approving Charter Amendment No. 30 to the charter of the City of Palo Alto, County of Santa Clara, State of California, voted for and ratified by the qualified electors of the said City of Palo Alto at a special municipal election held therein for that purpose on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 29: By Messrs. McCollister and Burkhalter—Relative to eggs shipped to Hawaii.

Referred to Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, Sacramento, March 12, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN: There is attached hereto copy of the certificate of the Clerk of the House of Representatives of the United States certifying that the State of California is entitled in the Eighty-third Congress and in each Congress thereafter until further reapportionment, to a total of 30 Representatives.

The original of this certificate has been filed with the Secretary of State.

Respectfully submitted,

(SEAL) EARL WARREN, Governor

EW:hs

Above transmitted copy of certificate ordered referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 35—An act to amend Section 15961 of the Education Code relating to school sites, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 38—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately;

Assembly Bill No. 51—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of January, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 23—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 14—Commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency;

Assembly Concurrent Resolution No. 16—Relative to extending good wishes for a speedy recovery to Ida R. Koverman;

Assembly Concurrent Resolution No. 21—Approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Culver City at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 22—Relating to Mrs. Edna May Butters and Assemblyman George R Butters;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 14—Relative to memorializing Congress to take action for protection for civilian injuries or deaths resulting from acts of war;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 3—Relative to the tidelands and submerged lands adjacent to the coastal states;

Assembly Joint Resolution No. 4—Relative to lands beneath the navigable waters adjacent to the coasts of coastal states;

Assembly Joint Resolution No. 7—Relative to acquisition of land by the United States;

Assembly Joint Resolution No. 11—Relative to materials and equipment necessary for air pollution control;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 142—An act to add Section 51 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1878—An act relating to revenues from tide and submerged lands, including provisions to establish a Special Deposit Fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 15: By Mr. McMillan—Relative to the Korean conflict.

Referred to Committee on Rules.

Assembly Joint Resolution No. 16: By Messrs Hawkins, Hollibaugh, Doyle, Geddes, Burkhalter, Dickey, Dunn, Elliott, Evans, McCollister, and Morris—Relative to the compensation of postal employees.

Referred to Committee on Rules.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor reported that it had performed its duty.

The Select Committee appointed to wait upon the Senate reported that the Senate was organized, and ready to proceed with the regular business.

COMMITTEE FROM THE SENATE

Senators Thompson, Judah, and Miller appeared before the bar of the Assembly, and informed the Assembly that, pursuant to the provisions of Senate Concurrent Resolution No. 14, the Senate had reconvened, and was ready to proceed with the business of the State, with all officers heretofore elected present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 30

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 30—Relative to adjournment out of respect to the memory of Senator Chris N. Jespersen.

Above resolution ordered held at the desk.

Speaker Pro Tempore Presiding

At 12.24 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Maloney announced the appointment of Senator Way and Messrs. McCollister, Connolly, Gaffney, Berry, Belotti, George D. Collins, and Meyers as a Select Committee to represent the citizens of the Redwood Empire on the rostrum

RECESS

At 12.25 p.m., on motion of Mr. McCollister, the Assembly recessed until 12.30 p.m., for the purpose of permitting Senator Way and a Select Committee representing the citizens of the Redwood Empire to present a redwood gavel to Speaker Sam L. Collins.

REASSEMBLED

At 12.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION THAT REMARKS BY SENATOR WAY BE PRINTED IN JOURNAL

Mr. Berry moved that the remarks by Senator Way, made during the recess, be reduced to writing and ordered printed in the Journal in 10-point type.

Mr. Clarke seconded the motion.

Motion carried.

Remarks by Senator Way

MR SPEAKER: It is a pleasure and an honor, on behalf of the citizens of the Redwood Empire—San Francisco and Northbay Counties—and their Redwood Empire and Shoreline Highway Associations—to present to you this redwood burl gavel.

It is fashioned from a burl taken from a 2,000 year old giant redwood tree, standing in one of many redwood forests, covering an area of 2,100,000 acres—52 billion board feet of standing timber—(97 percent of the world's redwood stand)—more than one-fifth of all remaining timber in California.

With this gavel goes the best wishes of the Redwood Empire Builders—for a profitable and successful second session of the 1951 State Legislature—and with the hope that the State Highway System may be brought to adequate and safe standard at the earliest possible moment.

My colleagues—the legislators representing Redwood Empire Counties—and Northbay and San Francisco—join me in extending heartiest greetings.

MOTION THAT REMARKS BY SPEAKER SAM L. COLLINS MADE IN RESPONSE TO SENATOR WAY'S REMARKS BE PRINTED IN JOURNAL

Mr. Doyle moved that the remarks by Speaker Sam L. Collins, made in response to the remarks of Senator Way, be reduced to writing and ordered printed in the Journal in 10-point type.

Mr. Burke seconded the motion.

Motion carried.

Remarks by Speaker Sam L. Collins

SENATOR WAY AND MEMBERS OF THE DELEGATION OF THE REDWOOD EMPIRE: This is, indeed, a pleasure to welcome you to the City of Sacramento, the capital of the State of California. I appreciate very much your thoughtfulness in coming here this day to present this redwood gavel. I know of no more appropriate symbol of authority than one turned from the redwoods of California—eternal in duration and combining beauty and utility. This symbol of authority shall be wielded by me, so long as I am your presiding officer, in justice and impartiality. May this gavel be as enduring as the trees from whence it came. Some gavels, you will recall, have not fared so well.

Gentlemen, on behalf of the Assembly of California and more particularly from the presiding officer, I thank you for this beautiful gavel.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 694

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 694, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 694

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Preparation and issuance of bonds"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 28

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 28, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 28

Assembly Concurrent Resolution No. 28—Relative to approving Charter Amendment No. 30 to the charter of the City of Palo Alto, County of Santa Clara, State of California, voted for and ratified by the

qualified electors of the said City of Palo Alto at a special municipal election held therein for that purpose on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None

Resolution ordered transmitted to the Senate.

PETITIONS

By Speaker Sam L. Collins:

A communication and petition listing 724 names from John Hocker, of Salinas, relative to urging passage of the old age assistance initiative, were received, and ordered referred to the Committee on Social Welfare.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 17: By Messrs. Moss, Fleury, McFall, Gaffney, Berry, Brown, Clarke, Condon, Dolwig, Gubser, Hagen, Hansen, Henderson, Kelly, Kirkwood, Lindsay, Lyon, McCollister, and Parker—Relative to proposals to increase the federal excise tax on wine.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 30: By Messrs. Dunn, Maloney, Lincoln, Rumford, Caldecott, Doyle, Geddes, Grunsky, Kirkwood, Silliman, and Stewart—Relative to participation in the events of the Thirty-second Annual Public Schools Week.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act conveying certain tidelands and lands lying under inland navigable waters, situated in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State

Respectfully submitted.

R H McCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McCollister:

An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3368: By Mr McCollister—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 30, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 30

Senate Concurrent Resolution No. 30—Relative to adjournment out of respect to the memory of Senator Chris N. Jespersen.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Sections 6489.5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Respectfully submitted.

R. H McCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr McCollister:

An act to add Sections 6489 5 and 6546 to the Health and Safety Code, relating to sanitary districts

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3369: By Mr. McCollister—An act to add Sections 6489 5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 56

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No 56, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 56

By Mr. Evans:

House Resolution No. 56

Relative to the augmentation of funds of the Assembly Interim Committee on Public Utilities and Corporations

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 264, 1949 Regular Session), the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of January 22, 1951, page 861, in the first paragraph, fourth line, after "sum of", strike out "twenty thousand dollars ($20,000)", and insert "two thousand dollars ($2,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 56, as Amended

By Mr. Evans:

House Resolution No. 56

Relative to the augmentation of funds of the Assembly Interim Committee on Public Utilities and Corporations

Resolved by the Assembly of the State of California. That in addition to any money heretofore made available to the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 264, 1949 Regular Session), the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Moss:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

J. E. MOSS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Moss:

An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—71.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3370: By Mr Moss—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 31: By Mr. Brown—Approving the charter of the City of Modesto, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of February, 1951.

Referred to Committee on Rules.

ANNOUNCEMENT

Mr Connolly announced the birth of a baby boy, their sixth child, to Assemblyman and Mrs Brady, and the birth of a baby girl, their fourth daughter, to Assemblyman and Mrs. McCarthy, yesterday.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1632

Mr. Fleury moved that Assembly Bill No. 1632 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Judiciary.

Motion carried.

Mrs. Niehouse moved that Assembly Bill No. 816 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Education.

Motion carried.

ANNOUNCEMENT

Mr. Waters announced that the subcommittees of the Committee on Elections and Reapportionment, investigating the contested elections of Messrs. McGee, Parker, and Henderson, will submit their reports at a meeting of the Committee on Elections and Reapportionment, to be held tomorrow.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Luckel:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Respectfully submitted.

FRANK LUCKEL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Luckel:

An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3371: By Mr. Luckel—An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Referred to Committee on Education

MEMBER EXCUSED

At 1 04 p m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Crowley be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and Republican Caucus at 7.30 a.m , tomorrow morning, Tuesday, March 13th, at Hart's Restaurant, and stated that such meetings will be held twice a week in the future.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Rules, in Room 319.
Legislative Representatives, in Room 320.
Ways and Means Subject: Budget Bill.

At 8 p.m.—

Judiciary, in Room 435
Finance and Insurance, in Room 432.
Municipal and County Government.

Next Tuesday, March 13th—

At 3 p.m.—

Public Health.

At 8 p.m.—

Special Joint Committee to Study the Old Age Assistance Initiative Measure.

Next Wednesday, March 14th, at 3 p.m.—

Governmental Efficiency and Economy.

Next Thursday, March 15th—

At 3 p.m.—

Transportation and Commerce, in Room 432

Upon Adjournment—

Subcommittee on Public Utilities and Corporations. Subject: Senate Bill No. 327

At 8 p.m.—

Revenue and Taxation Subject: Noncontroversial bills.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to L. E. Coffman of Santa Ana.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clay Lewis of San Diego.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Estle A. Fenn of Santa Barbara.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Nancy Maury Chapel of Stockton, Edwin W. Dean of Inglewood, and Harry Welch of Inglewood.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Bruce Reagan of Pasadena.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. S. E. Pascoe of Martinez.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clay E. Lewis of San Diego.

On request of Messrs. McMillan and Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Frank Stone of Laguinta.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Frederick Van Cleave of Pasadena.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Lewis Teegarden and Franklin Evans of Los Angeles.

ADJOURNMENT

At 1.10 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, March 13, 1951, out of respect to the memory of the late Senator Chris N Jespersen of Atascadero

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 13, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal Father, who hast made the visible world by Thy power and the soul of man in Thy likeness, grant that we may live wisely, bravely, and happily among things seen and temporal, yet never in bondage to them; always seeking a better country and a heavenly home with Thee. Guide us in the responsibilities of this day and hour that we may be workmen approved unto Thee who need never to be ashamed.

"We thank Thee, Lord, Thy paths of service lead
To blazon heights and down the slopes of need;
They reach Thy throne, encompass land and sea.
And he who journeys in them walks with Thee"

In Jesus' name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Parker, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Chapel.
Mr. Cooke, on motion of Mr. Chapel.
Mr. Lipscomb, on motion of Mr. Chapel.

REQUEST FOR UNANIMOUS CONSENT THAT NAME OF MR. COOKE BE PLACED UPON THE MORNING ROLL CALL FOR MONDAY, MARCH 12TH

Mr. Hollibaugh explained that Mr. Cooke came to the Assembly Chamber yesterday, Monday, March 12th, but was taken ill prior to roll call at noon, and had to return to the Oak Knoll Hospital in Oakland; and asked for, and was granted, unanimous consent that the name of Mr. Cooke be placed upon the morning roll call for yesterday, Monday, March 12th.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Assemblyman George R. Butters, relative to his expectation that he will be leaving the hospital around March 20th and returning to Sacramento, was received, read, and ordered noted in the Journal.

ASSEMBLY BILL NO. 941 WITHDRAWN FROM COMMITTEE, AND RE-REFERRED BY SPEAKER

Speaker Sam L. Collins ordered Assembly Bill No. 941 withdrawn from the Committee on Transportation and Commerce, and re-referred to the Committee on Agriculture.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 32: By Mr. Thomas—Relative to approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the eleventh day of April, 1950

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 13
Senate Joint Resolution No 14
Senate Joint Resolution No. 15
Senate Concurrent Resolution No 31

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 13—Relative to proposed discriminatory and excessive increases in the federal tax on wine.

Referred to Committee on Rules.

Senate Joint Resolution No. 14—Relative to memorializing Congress protesting the proposed increased tax on wine.

Referred to Committee on Rules.

Senate Joint Resolution No. 15—Relative to proposed increases in wine excise taxes.

Referred to Committee on Rules

Senate Concurrent Resolution No. 31—Relative to the passing of Maurice E. Harrison.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Davis:

House Resolution No. 80

Relative to the passing of John P. Branley

WHEREAS, The Members of the Assembly have learned with regret of the passing on January 29, 1951, of John P Branley, former member of the Board of Supervisors of Plumas County; and

WHEREAS, John P Branley had served for 14 years as member of the County Board of Supervisors, retiring in 1947; and

WHEREAS, He was active in civic and community affairs having rendered splendid services in Indian Valley and Greenville; and

WHEREAS, John P Branley had a host of sincere friends throughout the State who knew him because of his efforts in connection with the Supervisors' Association and the Western Mining Council in which field he was most active; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of John P. Branley; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of John P. Branley, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Annis E. Branley, his widow, and Molly Treleaver, Greenville, Margaret Hall, Sacramento, and Jenny Terrell, Chester.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 694

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stewart:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

Respectfully submitted

A. I. STEWART

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Stewart:

An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3372: By Mr. Stewart—An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 81

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrants on the proper fund in favor of the following Members and Officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	$4 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
38	John B. Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No 31

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER: Your Committee on Rules, to which were referred.

Assembly Concurrent Resolution No 29
Assembly Concurrent Resolution No 30

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER: Your Committee on Rules, to which were referred.

Assembly Joint Resolution No. 16
Assembly Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred.

Senate Joint Resolution No. 13
Senate Joint Resolution No. 14
Senate Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER. Your Committee on Judiciary, to which were referred.

Assembly Bill No. 2143
Assembly Bill No 2144
Assembly Bill No 2145
Assembly Bill No 2146
Assembly Bill No 2147
Assembly Bill No 2148
Assembly Bill No 2149
Assembly Bill No 2150
Assembly Bill No. 2151
Assembly Bill No. 2152
Assembly Bill No. 2153
Assembly Bill No. 2154
Assembly Bill No 2155
Assembly Bill No. 2156
Assembly Bill No. 2157
Assembly Bill No. 2158
Assembly Bill No 2159
Assembly Bill No. 2160
Assembly Bill No 2161

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2162
Assembly Bill No. 2163
Assembly Bill No. 2164
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2167
Assembly Bill No. 2168
Assembly Bill No 2170
Assembly Bill No. 2171
Assembly Bill No. 2172
Assembly Bill No. 2173
Assembly Bill No. 2174
Assembly Bill No. 2175
Assembly Bill No 2176
Assembly Bill No. 2177
Assembly Bill No. 2178
Assembly Bill No. 2179
Assembly Bill No. 2180

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2143—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 2144—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2145—An act to repeal Section 10651 of the Insurance Code, relating to associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2146—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2147—An act to amend Section 960 of the Welfare and Institutions Code, relating to public schools in juvenile homes or camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2148—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2149—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2150—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2151—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2152—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2153—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extraordinary Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2154—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2155—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2156—An act to amend Section 2411 of the Labor Code, relating to public labor camps

Bill read second time, and ordered engrossed.

Assembly Bill No. 2157—An act to amend Section 2102 of the Labor Code, relating to public labor camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2158—An act to amend Section 1596 of the Labor Code, relating to employment agencies

Bill read second time, and ordered engrossed.

Assembly Bill No. 2159—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications

Bill read second time, and ordered engrossed.

Assembly Bill No. 2160—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings.

Bill read second time, and ordered engrossed

Assembly Bill No. 2161—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers

Bill read second time, and ordered engrossed.

Assembly Bill No. 2162—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes

Bill read second time, and ordered engrossed

Assembly Bill No. 2163—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans.

Bill read second time, and ordered engrossed

Assembly Bill No. 2164—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read second time, and ordered engrossed

Assembly Bill No. 2165—An act to amend Section 9060 of the Insurance Code, relating to exemptions

Bill read second time, and ordered engrossed.

Assembly Bill No. 2166—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2167—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues

Bill read second time, and ordered engrossed.

Assembly Bill No. 2168—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class

Bill read second time, and ordered engrossed

Assembly Bill No. 2170—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process

Bill read second time, and ordered engrossed.

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2172—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature

Bill read second time, and ordered engrossed.

Assembly Bill No. 2173—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups

Bill read second time, and ordered engrossed

Assembly Bill No. 2174—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds

Bill read second time, and ordered engrossed

Assembly Bill No. 2175—An act to amend and renumber Section 6904 of the Education Code, relating to average daily attendance in school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2176—An act to amend Section 4663 of the Education Code, relating to annexation of school districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 2177—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education

Bill read second time, and ordered engrossed

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters

Bill read second time, and ordered engrossed.

Assembly Bill No. 2180—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr Crowley asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 15, at this time, without reference to file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 15

Senate Joint Resolution No. 15—Relative to proposed increases in wine excise taxes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 14, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 14

Senate Joint Resolution No. 14—Relative to memorializing Congress protesting the proposed increased tax on wine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—64

NOES—Collier—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McFall asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 13, at this time, without reference to file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 13

Senate Joint Resolution No. 13—Relative to proposed discriminatory and excessive increases in the federal tax on wine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—66.

NOES—Collier—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 31, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 31

Senate Concurrent Resolution No. 31—Relative to the passing of Maurice E. Harrison.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT BE PRINTED IN JOURNAL

Mr. Morris asked for, and was granted, unanimous consent that the Preliminary Report on Senate Bill No. 327, by the subcommittee of the Assembly Committee on Public Utilities and Corporations, be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 18: By Mr. Elliott—Relative to memorializing Congress to provide funds for development of a rapid transit system in the County of Los Angeles.

Referred to Committee on Rules.

ANNOUNCEMENT

Speaker Sam L Collins announced, pursuant to an inquiry, that if a member co-authors the bill of another member it counts as one of his two remaining "spots," and suggested to members who plan to introduce major legislation before the session is over that they remember this rule.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 797 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Munnell asked for, and was granted, unanimous consent that Assembly Bill No. 797 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1954 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Moss asked for, and was granted, unanimous consent that Assembly Bill No. 1954 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to Penal Provisions of Statute Regulating Legislative Representation, be ordered printed in the Journal in 10-point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Hon. Richard J. Dolwig
Assembly Chamber

PENAL PROVISIONS OF STATUTE REGULATING LEGISLATIVE REPRESENTATION—No. 5880

DEAR MR DOLWIG:

Question

You have presented the following question:

Assuming a legislative representative has complied with the registration and filing requirements of Sections 9900 through 9908 of the Government Code, would such person violate the statute regulating legislative representation by acting as a legislative representative prior to the time that a certificate of registration as a legislative advocate is issued to him pursuant to Section 9909 of the Government Code, or after such certificate once issued was revoked.

Opinion

We know of no provision of law which prohibits a person from acting as a legislative representative either before the issuance or after the revocation of such certificate.

Analysis

The penal provisions of the statute regulating legislative representation are found in Section 9908 of the Government Code which reads in part:

> "9908. (a) Any person who violates *any of the foregoing sections* of this chapter * * * shall be guilty of a misdemeanor * * *." (Emphasis added.)

Section 9909 of the Government Code, which provides for the issuance and revocation of a certificate of registration as legislative advocate, *follows* Section 9908

Section 9908 as added to the Government Code by Chapter 4 of the 1949 First Extraordinary Session read in part:

> "9908. (a) Any person who violates *any of the provisions of this chapter*, shall, * * * be guilty of a misdemeanor * * *."

Section 9908 was amended by the Erwin Act of 1950 (Ch. 66, 1950 First Extraordinary Session) to limit it as it presently reads to the "foregoing sections of this chapter" and the Erwin Act of 1950 at the same time added Section 9909 providing for the issuance of the certificates.

In our opinion this indicates that the legislative intent was to exclude from the penal provisions of the statute the act of engaging in legislative advocacy without a certificate

This legislative history, coupled with the fact that the statute is in the nature of a penal law and will be strictly construed by the courts [*In re Twing* (1922), 188 Cal. 261, 265; *People* vs. *Tisdale* (1880), 57 Cal. 104, 107], leads us to the conclusion that Section 9908 of the Government Code would not prohibit a person from acting without a certificate of registration as legislative advocate at any time if he has complied with that section and the preceding sections of the chapter.

It would therefore appear that the issuance of a certificate of registration as legislative advocate is only a matter of recognition by the House that the person to whom the certificate is issued is of good moral character and otherwise a fit person to pursue his legislative activities before the members of the legislative body.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LOUIS A BOLI, III, Deputy

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 49—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 556—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln,

Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 582—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 583—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 504—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the identification of root or top stock of fruit and nut trees.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters and Mr Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 695—An act to amend Section 43628 of the Government Code, relating to the disposition of the proceeds of bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 10—An act to add Section 9906.6 to the Government code, relating to the solicitation of funds from persons receiving aid from the State.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 121—An act to amend Section 10786 of the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 10

Assembly Bill No. 10—An act to add Section 9906.6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

On page 1 line 4, of the printed bill, after "who", insert "fraudulently".

Amendment No. 2

On page 1, line 5, of said bill, after "who", insert "fraudulently".

Amendments read

Demand for Previous Question

Messrs Kirkwood, Silliman, Lindsay, Lincoln, and Hansen demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr Kilpatrick to Assembly Bill No. 10.

Roll Call Demanded

Messrs Kilpatrick, Silliman, and Condon demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly

Motion carried Time, 11.40 a.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Dunn, Luckel, and Stewart—4.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 440—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d 1, 24201d.2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 559—An act to amend Sections 17003, 17010, 17019.7, 17058, 17059, 17102 2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318.4, 17318.7, 17320.5, 17322.5, 17322.9, 17322.11, 17324 2, 17324.3, 17327, 17330.1, 17330.3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504, 17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560 9, 17565, 17569, 17672, 17685, 17687, 17725, 17743.1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581,

18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053.3, 19056, 19057, 19058, 19059, 19060, 19061, 19061.1, 19062, 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19151, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 573—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k, 24121o, 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b, 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 25731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 577—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a, 25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 26080.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 575—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071l, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203e-(1), and 25203c of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that complete sets of bills have been placed on racks at the rear and front of the Assembly Chamber for the convenience of Members of the Assembly, and urged the use of these sets when their use will assist in speeding forward the work of this body

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941.

Resolution read, and ordered passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. KILPATRICK TO ASSEMBLY BILL NO. 10

At 12.10 p m., on motion of Mr. Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Kilpatrick to Assembly Bill No. 10 were refused adoption by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Evans, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lyon, McCollister, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, and Thomas—34.

NOES—Babbage, Beck, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—41

Notice of Motion to Reconsider Amendments to Assembly Bill No. 10

Mr. Kilpatrick gave notice that on the next legislative day he would move to reconsider the vote whereby his amendments to Assembly Bill No. 10 were this day refused adoption.

Motion That Notice of Motion to Reconsider Be Taken Up at This Time

Mr. Grunsky moved that the notice of motion to reconsider the vote whereby the amendments offered by Mr Kilpatrick to Assembly Bill No. 10 were this day refused adoption be taken up, at this time.

Mr. Condon seconded the motion

Motion carried.

Motion to Reconsider

Mr. Kilpatrick moved that the vote whereby his amendments to Assembly Bill No. 10 were refused adoption be reconsidered.

Roll Call Demanded

Messrs. Lowrey, Coats, and Silliman demanded a roll call.

The roll was called, and the amendments to Assembly Bill No. 10 were refused reconsideration by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Crowley, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, McMillan, Rosenthal, Rumford, Stanley, and Thomas—17.

NOES—Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—49

The question being on the passage of Assembly Bill No. 10.

Further consideration of Assembly Bill No. 10 ordered temporarily passed on file.

ANNOUNCEMENT

Mr. Hawkins announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus today, upon recess, in the Venetian Room of the Hotel Sacramento.

REQUEST FOR UNANIMOUS CONSENT TO HOLD ADDITIONAL MEETINGS OF COMMITTEE

At 12 14 p m., Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to hold a meeting of the Committee on Municipal and County Government every Wednesday night at 8 p m , as well as a meeting every Thursday afternoon, at 3 p.m.

RECESS

At 12.15 p m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m , the Assembly reconvened

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Doyle suggested the absence of a quorum.

The roll was called

Call of the Assembly

Mr. Doyle moved a call of the Assembly.

Motion carried. Time, 2.04 p m.

The Speaker directed the Sergeant-at-Arms to close the doors and to bring in the following absent members:

Babbage, Beck, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Sam L Collins, Crowley, Davis, Dickey, Dunn, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—42

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 2 11 p m., on motion of Mr Doyle, further proceedings under the call of the Assembly were dispensed with

The roll was called, and the following answered to their names:

Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, and Waters—60.

Quorum present.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 10

Assembly Bill No. 10—An act to add Section 9906.6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State.

Bill read third time.

Speaker Presiding

At 2.27 p m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Caldecott, Kirkwood, Babbage, Levering, and Brown demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 10.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Clarke, Cloyed, Collier, Conrad, Dolwig, Erwin, Hansen, Kelly, Klocksiem, Lanterman, Levering, Lowrey, McCarthy, McGee, Sherwin, Smith, Stewart, and Tomlinson—19.

NOES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Thomas, Waters, and Mr Speaker—54.

ANNOUNCEMENTS

Speaker Sam L Collins announced, on behalf of Mr. Levering, Chairman of the Committee on Industrial Relations, that authors are not setting their bills for hearing before this committee as rapidly as is desired.

Mr. Levering announced that if authors of bills do not request that their bills be set for hearing, he will be forced to arbitrarily set them, when they are pending in the Committee on Industrial Relations.

Speaker Sam L. Collins announced that 10 copies of the California Blue Book have been shipped, by the State Printer, to every Member of the 1949 Session.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stanley:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: In accordance with the Provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools.

Respectfully submitted.

EARL W. STANLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Stanley:

An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3373: By Mr. Stanley—An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools.

Referred to Committee on Transportation and Commerce.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Coats:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense.

Respectfully submitted.

ARTHUR W. COATS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Coats:

An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—71

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3374: By Mr Coats—An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense

Referred to Committee on Military Affairs

RESOLUTIONS

The following resolution was offered:

By Messrs Moss and Fleury:

House Resolution No. 82

Relative to congratulating the *Sacramento Union* on the 100th anniversary of its founding

WHEREAS, On March 19, 1851, the *Sacramento Union* was established as the only daily newspaper in the State of California and is the oldest daily newspaper this side of the Rocky Mountains; and

WHEREAS, In 1865 the *Sacramento Union* was credited with keeping the State of California in the Union rather than joining the Confederacy; and

WHEREAS, In 1866 the *Sacramento Union* sent a young reporter, who wrote under the pen name of Mark Twain, on a tour of the South Pacific and his weekly dispatches were printed in the *Sacramento Union*, which employment played a large part in starting him on his career as one of the world's most famous writers; and

WHEREAS, During its long existence as a daily newspaper, the *Sacramento Union* has gained wide spread recognition and fame for the quality of its reporting of local, state, national, and world-wide news, and for its excellent editorials; and

WHEREAS, The *Sacramento Union* has already received congratulatory messages from President Truman, General MacArthur, and Winston Churchill, among others; now, therefore be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California extend their heartiest congratulations to the *Sacramento Union* on the 100th Anniversary of its founding; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the publisher of the *Sacramento Union*

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up House Resolution No. 82, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 31

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 31, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 31

Assembly Concurrent Resolution No. 31—Approving the charter of the City of Modesto, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of February, 1951

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 28

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

ANNOUNCEMENT

Mr. Clarke announced that it is desired that all authors having bills pending before the Committee on Agriculture request that they be set for hearing as soon as possible

REPORTS DEEMED READ

By unanimous consent, the following reports of standing committees were deemed read, and appropriate action deemed taken:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2152	Assembly Bill No. 2172
Assembly Bill No. 2153	Assembly Bill No. 2173
Assembly Bill No 2154	Assembly Bill No. 2174
Assembly Bill No. 2155	Assembly Bill No. 2175
Assembly Bill No. 2156	Assembly Bill No. 2176
Assembly Bill No 2157	Assembly Bill No 2177
Assembly Bill No 2158	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2143
Assembly Bill No. 2144
Assembly Bill No. 2145
Assembly Bill No. 2146
Assembly Bill No. 2147
Assembly Bill No. 2148
Assembly Bill No. 2149
Assembly Bill No. 2150
Assembly Bill No. 2151

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 29
Assembly Concurrent Resolution No. 30

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16
Assembly Joint Resolution No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 888

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 413

Has had the same under consideration, and reports the same back with the recommendation: The bill be re-referred to the Committee on Industrial Relations.

GEDDES, Chairman

Above reported bill ordered re-referred to the Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 250
Assembly Bill No. 347
Assembly Bill No. 348
Assembly Bill No 898
Assembly Bill No. 1887
Assembly Bill No 1957

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading

PRELIMINARY REPORT ON SENATE BILL NO. 327 OF THE SUBCOMMITTEE OF THE ASSEMBLY COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS

ASSEMBLY, CALIFORNIA LEGISLATURE, March 12, 1951

Senate Bill No. 327 seeks to exempt nonprofit electric cooperatives from the jurisdiction of the California Public Utilities Commission.

The Subcommittee on Senate Bill No. 327 was appointed on January 22, 1951, by Chairman John W. Evans of the Assembly Committee on Public Utilities and Corporations for the purpose of holding hearings and reporting upon Senate Bill No. 327. The subcommittee has scheduled three hearings, two of which have now been held, one in Baker, California, on February 19, 1951, and a second in San Francisco on February 23, 1951. The third hearing will be held in Sacramento on March 15, 1951.

Some members of the subcommittee were not able to attend the hearings held in Baker, California, and San Francisco, California; however, a complete phonographic transcript has been prepared of each of these hearings, and this transcript has been made available to all subcommittee members.

From the testimony thus far presented to the subcommittee, it appears that this proposed legislation may make a major change in the public utility laws of this State, which should receive full and careful consideration. At neither the Baker nor the San Francisco hearing was any evidence presented to the subcommittee which would indicate that there is urgency for the immediate passage of this bill prior to its full consideration.

The subcommittee recommends that no action be taken upon this measure by the Assembly until such time as the subcommittee may complete its investigation and make its report. The report of this subcommittee will be submitted to the Assembly Committee on Public Utilities and Corporations as soon after its final hearing on March 15, 1951, as such report can be completed.

G. DELBERT MORRIS, Chairman
BERNARD R. BRADY
MONTIVEL A. BURKE
CLAYTON A. DILLS
PATRICK D. McGEE

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.

Public Health.

At 8 p.m.

Elections and Reapportionment. Subject: Subcommittee reports on contested elections of Messrs. McGee, Henderson, and Parker.

Judiciary.

Fish and Game.

Today Upon Adjournment—

Rules.

Tomorrow, Wednesday, March 14th, at 8 p.m.—

Municipal and County Government.

Next Thursday, March 15th, at 8 p.m.—

Municipal and County Government.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Lee Brande of Westchester

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to C O Blose, coordinator, Mrs Esther Sylvester, teacher of the Ashland School, San Lorenzo, and the following pupils: Dolores Arnorl, Sharon Baird, Shirley Berta, Carolyn Bowles, Inge Berkheim, Charlene Calkins, Marlene Brown, Carolyn Crocker, Donna Sue Davis, Mary Ann Fonseca, Jeanette Fenion, Frances Garcia, Joanne Kinny, Nancy Lane, Virle Smith, Gloria Spangler, Dianne Stubblefield, Annie Torres, Elnora Good, Carolyn Ornellas, Margery Janerio, James Anerich, Charles Baccus, Fred Breeden, Barry Brockoff, James Callaway, Jimmy Duggins, Mark Fallon, Don Kincaid, Darryl Lewin, Frank Machado, Bob Stoicich, Dennis Talbert, Marvin Waage, Ronnie Winters, Lester Brasher, Charles Grace, and Gordon Rodgers.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Robert Morgan and A. R Tully of San Jose, and Erwin B. Schultz of Palo Alto.

ADJOURNMENT

At 2 43 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Wednesday, March 14, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 14, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Lord of All Being, Maker and Master of us all, we thank Thee for the provision that Thou hast made for the needs of all Thy family. Grant wisdom unto each of us for the important decisions which we are constantly called upon to confirm.

We especially pray for the members of our Armed Forces now engaged in a struggle to guarantee liberty and justice for the underprivileged peoples of the world. May the lofty purposes of our struggle be so clear that our motives will not be misunderstood.

May we so serve Thee with singleness of heart that Thy will be done on earth.

"Lord, give us faith and strength to build,
To see the promise of the day fulfilled,
When war shall be no more and strife shall cease
Upon the highway of the Prince of Peace."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Henderson
Mr. Lipscomb, on motion of Mr. Henderson
Mr. Cooke, on motion of Mr. Henderson.

ANNOUNCEMENT

Speaker Sam L. Collins announced that he has just talked by telephone with the three members who are absent because of illness, finds them all greatly improved, and anticipates their early return to the floor of the Assembly.

RESOLUTIONS

The following resolution was offered:

By Mr. Kilpatrick:

House Resolution No. 83

Relative to funds of the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, That the money made available by House Resolution No. 42, 1951 Regular Session, to the Assembly Interim Committee on Crime and Corrections (created by House Resolution No. 243, 1949 Regular Session and continued by House Resolution No. 28, 1951 Regular Session), may be expended for the purpose of preparing the committee's preliminary reports to the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2163

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2159
Assembly Bill No. 2160
Assembly Bill No. 2161
Assembly Bill No. 2162
Assembly Bill No. 2164
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2167
Assembly Bill No 2168
Assembly Bill No. 2170
Assembly Bill No. 2171
Assembly Bill No. 2178
Assembly Bill No. 2179
Assembly Bill No. 2180

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 708
Assembly Bill No. 713
Assembly Bill No. 714
Assembly Bill No. 715
Assembly Bill No. 717
Assembly Bill No. 718
Assembly Bill No. 719
Assembly Bill No. 720
Assembly Bill No. 726
Assembly Bill No. 727
Assembly Bill No. 728

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 711	Assembly Bill No. 1773
Assembly Bill No. 722	Assembly Bill No. 1785
Assembly Bill No. 1771	Assembly Bill No. 1786
Assembly Bill No. 1772	Assembly Bill No. 1940

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 242	Assembly Bill No. 1178
Assembly Bill No. 806	Assembly Bill No 2136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 331
Assembly Bill No. 332
Assembly Bill No. 333

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 49: By Messrs. Dunn, Geddes, and Doyle—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 15.5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 32—Relative to the passing of Walter Naughton.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32

Senate Concurrent Resolution No. 32—Relative to the passing of Walter Naughton.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal in 10-point type.

LETTER OF TRANSMITTAL

STATE CAPITOL
Sacramento, California
March 12, 1951

The President of the Senate
The Speaker of the Assembly
And Other Members of the Senate and the Assembly

GENTLEMEN: Pursuant to Senate Resolution No. 20 and House Resolution No. 35 of the 1950 Third Extraordinary Session of the California Legislature, the Joint Legislative Budget Committee herewith submits the Report of the Legislative Auditor and the staff of the Budget Committee on the proposed program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act. Copies of this report are also being filed with the Senate and Assembly Committees on Social Welfare as directed by the above resolutions.

The committee expresses its gratitude to the many state and local governmental agencies and officials, private organizations, and individuals who rendered assistance to the staff of the committee in the preparation of this report.

Senators	Assemblymen
BEN HULSE, Chairman	MARVIN SHERWIN, Vice Chairman
HAROLD J. POWERS	LLOYD W. LOWREY
GEORGE HATFIELD	GLENARD P. LIPSCOMB
ARTHUR H. BREED, JR.	SAM L. COLLINS
J. HOWARD WILLIAMS	JONATHAN J. HOLLIBAUGH

ANNOUNCEMENT

Mr. Sherwin announced that the Senate is having 2,000 copies of the above transmitted report printed, which will be available to the members; that copies of this report have been distributed to the members of the Committee on Social Welfare; and requested that the report, submitted at this time, be ordered filed at the desk.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

March 13, 1951

To: *Honorable Arthur A. Ohnimus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT. Reports on Property Tax Assessment under Section 3693 of the Political Code

FROM. *State Board of Equalization*
Dixwell L. Pierce, Secretary

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly copies of surveys which have been completed under that section with respect to property tax administration in the Counties of Lassen and Contra Costa.

Similar reports have been submitted to the Legislature heretofore as follows:

1949	Riverside County	
1950	Imperial	
	Marin	
	Siskiyou	
	Solano	
1/8/51	Alameda	Mariposa
	Alpine	Mono
	Amador	Placer
	Calaveras	Santa Cruz
	Inyo	Santa Barbara

DIXWELL L. PIERCE

Above transmitted copies of surveys ordered referred to the Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 888—An act to amend Section 13161 of the Government Code, relating to the display of flags over public buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13161 of the Government", and insert "add Section 617 to the Military and Veterans".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 617 is added to the Military and Veterans Code, to read:

617. Any person who displays a flag, standard, or ensign, other than the Flag of the United States or the Bear Flag of California, from any public building owned, leased, used, or controlled by the State or any county, city, city and county, state agency, or public district, is guilty of a misdemeanor.

The provision of this section shall not apply to the display of flags on public buildings during any international athletic event or during the visit of any foreign dignitary."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 5, line 8, of the printed bill, strike out "such", and insert "the succeeding".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions, and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions, and immunities of the holders of shares of share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, relating to shares and share accounts of federal savings and loan associations

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

After the last comma in the next to the last line of the title of the printed bill, insert "and adding to said act four new sections, to be numbered respectively Sections 5, 6, 7 and 8; all".

Amendment No. 2

Before the period in the last line of the title of the printed bill, insert "and said new Section 6 relating also to debts of such associations and said new Section 8 relating also to personal property held by said associations".

Amendment No. 3

On page 3 of the printed bill, after line 22, insert

"SEC. 4. Four new sections are added to said act, to be numbered respectively Sections 5, 6, 7 and 8, and to read as follows:

Sec. 5. Shares or share accounts of any federal savings and loan association held by any person and the dividends credited thereon shall be exempt from attachment or execution and proceedings supplementary thereto to the value of one thousand dollars ($1,000).

Sec. 6. In the case of any attachment levied upon any shares or share accounts of any federal savings and loan association or upon any debts owing by any such association, the copy of writ and notice must be left, if such association maintains branches, with the manager or any other officer of such association at the office or branch thereof at which such shares or share accounts were issued or such debt incurred if such office or branch is still being maintained, and otherwise at the principal office of such association; and no attachment not served as aforesaid shall be effective as to any share or share account issued by any such association or as to any debt owing by any such association if such share or account was issued or such debt incurred at an office or branch thereof not so served. No attachment or execution shall be issued against any such association or its property in any suit, action or proceeding arising out of the claim of any holder of shares or share accounts to withdraw before final judgment that such holder of shares or share accounts is presently entitled to payment of such withdrawal.

Sec. 7. No transfer on encumbrance of shares or share accounts issued by a federal savings and loan association shall be effective as to such association until written notice of such transfer or encumbrance shall have been given to the office of the association at which such shares or share accounts were issued, or at which the account of such association as to such shares or share accounts is kept, or to the principal office of such association. Until such notice shall have been so given, such association may conclusively presume that shares and share accounts have not been transferred or encumbered, and may, in the absence of such notice, make any and all payments or issue new shares or share accounts to or in the name or names of the person or persons in whose name or names its shares or share accounts are issued, whether or not such shares or share accounts are presented at the time of such payment or issuance, and shall have no responsibility to a transferee or lienholder with respect to any shares or share accounts, or parts thereof, so paid or reissued

Sec. 8. Notice to any federal savings and loan association of an adverse claim (the person making such adverse claim being hereafter in this section called "adverse claimant") to shares or share accounts standing on its books to the credit of, or to personal property held for the account of, any person may be disregarded until and unless the adverse claimant shall (a) procure and serve upon the association at the office at which the account is carried or the property held a restraining order, injunction or other appropriate order against the association from a court of competent jurisdiction in an action in which the adverse claimant and all persons in whose name such account stands or for whose account such property is held are parties; or (b) execute and deliver to the association at the office at which the account is carried or the property held a bond in form and with surety acceptable to it and in an amount fixed by the association, but which amount in no event need be more than twice the value of the shares or share accounts or more than twice the market value of the property against which the adverse claim is made, indemnifying it and also all persons in whose names such account stands or for whose account such property is held, against all liability, loss, damage, costs and expenses arising out of the refusal to permit withdrawal from such account or to pay dividends thereon or to deliver such property. Unless such restraining order, injunction or other appropriate order is obtained, or such bond is given, the association, notwithstanding such notice, may honor notices of intention to withdraw and may pay withdrawals and dividends to the person or persons to whose credit the account stands or may deliver such property to or upon the order of the person for whose account such property is held, without any liability on the part of the association If an adverse claimant delivers to the association at the office at which the account is carried or the property held his affidavit stating that of his own knowledge the person to whose credit the account stands or for whose account the property is held is a fiduciary for the adverse claimant and that such fiduciary is about to misappropriate the account or the property and stating the facts upon which the claim of a fiduciary relationship is based, the association may refuse to pay withdrawals or dividends on the account or may refuse to deliver such property until the adverse claim is finally adjudicated or released, without liability on its part and without liability for the sufficiency or truth of the facts alleged in the affidavit. The provisions of this section shall be applicable even though the name of the person appearing on the association's books to whose credit the account stands or for whose account the property is held is modified by a qualifying or descriptive term such as "agent," "trustee" or other word or phrase indicating that such person may not be the owner in his own right of the account or property."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1 01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7 06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 13.13 thereof, relating to powers of the

Building and Loan Commissioner upon taking possession of an association, and Section 13 16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

After the first comma in line 13 of the title of the printed bill, insert "Section 12.09 thereof, relating to leases on office premises,".

Amendment No. 2

On page 9, line 43, of the printed bill, after "capital", insert ", federal insurance reserve, loan reserve,".

Amendment No. 3

On page 10, line 5, of the printed bill, after "capital", insert ", federal insurance reserve, loan reserve,".

Amendment No. 4

On page 13 of the printed bill, between lines 16 and 17, insert

"SEC. 15 Section 12.09 of said act is amended to read:

Sec. 12 09 Leases on Office Premises. An association may enter into or assume leases covering real property used or to be used in connection with the business of such association; provided that no association issuing stock or investment certificates shall enter into or assume leases providing in the aggregate for rental payments in any one year in excess of 5 percent of the sum of its aggregate paid-up nonwithdrawable capital, federal insurance reserve, loan reserve, and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation, after deducting from such sum any amounts invested in real property pursuant to subdivision (1) of section 9 02 of this act."

Amendment No. 5

On page 13, line 17, of the printed bill, after "SEC.", strike out "15", and insert "16".

Amendment No. 6

On page 13, line 22, of the printed bill, after "SEC.", strike out "16", and insert "17".

Amendment No. 7

On page 14, line 27, of the printed bill, after "SEC.", strike out "17", and insert "18".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4 of the printed bill, strike out lines 10, 11, and 12, and insert "are secured by such revenues;".

Amendment No. 2

On page 4 of the printed bill, strike out lines 32, 33, 34, and 35, and insert "(e) The issuer of the securities is obligated to maintain rates at least sufficient to meet debt service requirements and such obligation is legally enforceable; and".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1887—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, following the comma first appearing, insert "director,"

Amendment No. 2

On page 1, line 10, of the printed bill, following "is", insert "a director or".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1957—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 20, of the printed bill, after "employer", insert "other than an employer of public employees".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 500

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 500 BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the amendments proposed by the Committee on Ways and Means to Assembly Bill No. 500 be ordered printed in the Journal, without action at this time.

AMENDMENTS PROPOSED BY THE COMMITTEE ON WAYS AND MEANS TO ASSEMBLY BILL NO. 500

Amendment No. 1

On page 3, line 2, of the printed bill, strike out "Council", and insert "Counsel".

Amendment No. 2

On page 3 of said bill, strike out lines 20 to 26, inclusive.

Amendment No. 3

On page 3 of said bill, after line 29, insert

"JUDICIAL".

Amendment No. 4

On page 6, line 19, of said bill, strike out "3,329,919", and insert "3,330,119".

Amendment No. 5

On page 7, line 31, of said bill, after "employees", strike out the period, and insert "or other agencies which by law are available for support of said agency."

Amendment No. 6

On page 11 of said bill, after line 16, insert "and in addition thereto any amounts returned by paroled or discharged prisoners in repayment of cash assistance advanced, which by law are available for support of said agency."

Amendment No. 7

On page 11 of said bill, after line 30, insert "and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department."

Amendment No. 8

On page 30, line 15, of said bill, strike out "for", and insert "from".

Amendment No. 9

On page 42 of said bill, after line 36, insert

"MILITARY AFFAIRS".

Amendment No. 10

On page 43, line 20, of said bill, strike out "54,788", and insert "54,778".

Amendment No. 11

On page 57 of said bill, after line 5, insert "and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said commission."

Amendment No. 12

On page 63 of said bill, after line 21, insert

"MISCELLANEOUS".

Amendment No. 13

On page 67 of said bill, after line 45, insert

"284.1—For acquisition of real property, California Youth Training School, Youth Authority, to be expended under provisions of the Property Acquisition Act ---------- 300,000".

Amendment No. 14

On page 68, line 3, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 15

On page 68 of said bill, strike out all of line 5.

Amendment No. 16

On page 68, line 6, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 17

On page 68, line 8, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 18

On page 69, line 41, of said bill, strike out "186,550", and insert "186,500".

Amendment No. 19

On page 75, line 15, of said bill, strike out "127,000", and insert "127,200".

Amendment No. 20

On page 91, line 10, of said bill, strike out "1951", and insert "1952".

Amendment No. 21

On page 24, line 7, of said bill, strike out "2115 1", and insert "21155.1".

Amendment No. 22

On page 47, line 3, of said bill, strike out "restoratoin", and insert "restoration".

Amendment No. 23

On page 56, line 9, of said bill, strike out "Department", and insert "Departments".

Amendment No. 24

On page 57, line 13, of said bill, after "to", insert "Railroad Commission".

Amendment No. 25

On page 62, line 27, of said bill, strike out "Veterans", and insert "Veterans' ".

Amendment No. 26

On page 5, line 14, of said bill, strike out "—"

Amendment No. 27

On page 5, line 48, of said bill, strike out "—".

Amendment No. 28

On page 6, line 22, of said bill, strike out "—"

Amendment No. 29

On page 6, line 41, of said bill, strike out "—".

Amendment No. 30

On page 3, line 3, of said bill, strike out "243,126", and insert "254,670".

Amendment No. 31

On page 3, line 8, of said bill, strike out "249,483", and insert "261,027".

Amendment No. 32

On page 3, line 12, of said bill, strike out "274,626", and insert "286,170".

Amendment No. 33

On page 3, line 19, of said bill, strike out "243,126", and insert "254,670".

Amendment No. 34

On page 4, line 10, of said bill, strike out "1,238,953", and insert "1,316,326".

Amendment No. 35

On page 4, line 19, of said bill, strike out "217,608", and insert "209,024".

Amendment No. 36

On page 4, line 24, of said bill, strike out "321,853", and insert "351,769".

Amendment No. 37

On page 4, line 28, of said bill, strike out "397,608", and insert "427,524".

Amendment No. 38

On page 4, line 31, of said bill, strike out "180,000", and insert "218,500".

Amendment No. 39

On page 4, line 33, of said bill, strike out "217,608", and insert "209,024".

Amendment No. 40

On page 4, line 37, of said bill, strike out "1,365,575", and insert "1,359,238".

Amendment No. 41

On page 4, line 42, of said bill, strike out "1,179,032", and insert "1,173,260".

Amendment No. 42

On page 4, line 43, of said bill, strike out "251,798", and insert "251,311".

Amendment No. 43

On page 4, line 44, of said bill, strike out "23,985", and insert "23,907".

Amendment No. 44

On page 4, line 46, of said bill, strike out "1,454,815", and insert "1,448,478".

Amendment No. 45

On page 4, line 52, of said bill, strike out "1,365,575", and insert "1,359,238".

Amendment No. 46

On page 5, line 3, of said bill, strike out "219,255", and insert "230,677".

Amendment No. 47

On page 5, line 8, of said bill, strike out "142,456", and insert "153,748".

Amendment No. 48

On page 5, line 10, of said bill, strike out "38,089", and insert "38,219".

Amendment No. 49

On page 5, line 12, of said bill, strike out "226,755", and insert "238,177".

Amendment No. 50

On page 5, line 16, of said bill, strike out "219,255", and insert "230,677".

Amendment No. 51

On page 5, line 34, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendment No. 52

On page 5, line 40, of said bill, strike out "3,210,000", and insert "3,222,222".

Amendment No. 53

On page 5, line 41, of said bill, strike out "1,647,401", and insert "1,653,086".

Amendment No. 54

On page 5, line 44, of said bill, strike out "4,951,770", and insert "4,969,677".

Amendment No. 55

On page 5, line 50, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendment No. 56

On page 6, line 27, of said bill, strike out "71,073", and insert "66,073".

Amendment No. 57

On page 6, line 35, of said bill, strike out "38,070", and insert "33,070".

Amendment No. 58

On page 6, line 38, of said bill, strike out "71,757", and insert "66,757".

Amendment No. 59

On page 6, line 43, of said bill, strike out "71,073", and insert "66,073".

Amendment No. 60

On page 6 of said bill, between lines 43 and 44, insert

"43.1—For augmentation of the Poultry Testing Project Fund payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code_____ 68,220
to be transferred by the State Controller to the Poultry Testing Project Fund."

Amendment No. 61

On page 7 of said bill, after line 15, insert

"44.1—For expenses of special commissions assisting the Board of Corrections in making a study of crime conditions pursuant to Sections 6027 and 6028 of the Penal Code, Department of Corrections _____ 56,057".

Amendment No. 62

On page 7 of said bill, before line 16, insert

"44.2—For compensation, fees, and expenses of confidential personnel furnished by the Director of Corrections to the special commissions assisting the Board of Corrections in the study of crime, Department of Corrections (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code) _____ 45,000

provided, that claims for such compensation shall be presented by the Director of Corrections in his own name with a statement that the charges have been incurred pursuant to this item and when so presented shall be paid therefrom; and provided further that upon the completion of each secret investigation, and in any event within not more than one year after the payment of any claims, the Director of Corrections shall file with the Controller vouchers in support of the claims; provided, that the Controller shall not divulge any information conveyed by the vouchers, except upon order of a court of records in cases where the information is relevant and material evidence or upon order of the Legislature; and provided further, that such oaths of office as may be required of persons whose compensation is paid from this item may be kept in the confidential files of the Director of Corrections."

Amendment No. 63

On page 7, line 48, of said bill, strike out "2,076,066", and insert "2,092,026"

Amendment No. 64

On page 8, line 6, of said bill, strike out "1,333,293", and insert "1,349,253".

Amendment No. 65

On page 8, line 11, of said bill, strike out "2,323,332", and insert "2,339,292"

Amendment No. 66

On page 8, line 19, of said bill, strike out "2,076,066", and insert "2,092,026".

Amendment No. 67

On page 8, line 25, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendment No. 68

On page 8, line 34, of said bill, strike out "74,297", and insert "55,297".

Amendment No. 69

On page 8, line 36, of said bill, strike out "2,162,536", and insert "2,143,536".

Amendment No. 70

On page 8, line 44, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendment No. 71

On page 8, line 47, of said bill, strike out "3,379,257", and insert "3,367,857".

Amendment No. 72

On page 9, line 3, of said bill, strike out "2,054,055", and insert "2,042,655".

Amendment No. 73

On page 9, line 8, of said bill, strike out "3,725,248", and insert "3,713,848"

Amendment No. 74

On page 9, line 19, of said bill, strike out "3,379,257", and insert "3,367,857"

Amendment No. 75

On page 9, line 22, of said bill, strike out "1,586,754", and insert "1,581,804"

Amendment No. 76

On page 9, line 29, of said bill, strike out "1,003,333", and insert "998,383".

Amendment No. 77

On page 9, line 34, of said bill, strike out "1,778,803", and insert "1,773,853"

Amendment No. 78

On page 9, line 41, of said bill, strike out "1,586,754", and insert "1,581,804".

Amendment No. 79

On page 11, line 30, of said bill, strike out "947,950", and insert "945,670".

Amendment No. 80

On page 11, line 32, of said bill, strike out "699,257", and insert "696,977".

Amendment No. 81

On page 11, line 36, of said bill, strike out "949,750", and insert "947,470".

Amendment No. 82

On page 11, line 41, of said bill, strike out "947,950", and insert "945,670".

Amendment No. 83

On page 12, line 18, of said bill, strike out "240,445", and insert "238,820".

Amendment No. 84

On page 12, line 26, of said bill, strike out "5,388", and insert "3,763".

Amendment No. 85

On page 12, line 28, of said bill, strike out "251,375", and insert "249,750".

Amendment No. 86

On page 12, line 33, of said bill, strike out "240,445", and insert "238,820".

Amendment No. 87

On page 13, line 42, of said bill, strike out "290,430", and insert "288,969".

Amendment No. 88

On page 14, line 3, of said bill, strike out "206,235", and insert "205,405".

Amendment No. 89

On page 14, line 5, of said bill, strike out "5,320", and insert "4,689".

Amendment No. 90

On page 14, line 7, of said bill, strike out "299,810", and insert "298,349".

Amendment No. 91

On page 14, line 12, of said bill, strike out "290,430", and insert "288,969".

Amendment No. 92

On page 14, line 15, of said bill, strike out "453,120", and insert "452,182".

Amendment No. 93

On page 14, line 23, of said bill, strike out "7,870", and insert "6,932".

Amendment No. 94

On page 14, line 25, of said bill, strike out "472,470", and insert "471,532".

Amendment No. 95

On page 14, line 30, of said bill, strike out "453,120", and insert "452,182".

Amendment No. 96

On page 14, line 37, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendment No. 97

On page 15, line 3, of said bill, strike out "1,426,459", and insert "1,370,605".

Amendment No. 98

On page 15, line 4, of said bill, strike out "488,386", and insert "479,271".

Amendment No. 99

On page 15, line 5, of said bill, strike out "67,434", and insert "60,706".

Amendment No. 100

On page 15, line 7, of said bill, strike out "1,982,279", and insert "1,910,582".

Amendment No. 101

On page 15, line 14, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendment No. 102

On page 15 of said bill, after line 34, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment No. 103

On page 15 of said bill, after line 45, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment No. 104

One page 16 of said bill, after line 4, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment No. 105

On page 16, line 9, of said bill, strike out "850,000", and insert "835,000".

Amendment No. 106

On page 16, line 25, of said bill, strike out "777,599", and insert "747,153".

Amendment No. 107

On page 16, line 26, of said bill, strike out "1,762,900", and insert "1,748,346".

Amendment No. 108

On page 16, line 29, of said bill, strike out "2,550,000", and insert "2,505,000".

Amendment No. 109

On page 16, line 32, of said bill, strike out "1,700,000", and insert "1,670,000".

Amendment No. 110

On page 16, line 34, of said bill, strike out "850,000", and insert "835,000".

Amendment No. 111

On page 17, line 4, of said bill, strike out "401,455", and insert "398,641".

Amendment No. 112

On page 17, line 9, of said bill, strike out "292,161", and insert "289,597".

Amendment No. 113

On page 17, line 11, of said bill, strike out "65,389", and insert "65,139".

Amendment No. 114

On page 17, line 13, of said bill, strike out "402,055", and insert "399,241".

Amendment No. 115

On page 17, line 17, of said bill, strike out "401,455", and insert "398,641".

Amendment No. 116

On page 19, line 21, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendment No. 117

On page 19, line 29, of said bill, strike out "1,055,893", and insert "1,059,265".

Amendment No. 118

On page 19, line 32, of said bill, strike out "1,419,257", and insert "1,422,629".

Amendment No. 119

On page 19, line 45, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendment No. 120

On page 23, line 28, of said bill, strike out "207,500", and insert "196,552".

Amendment No. 121

On page 23, line 39, of said bill, strike out "216,580", and insert "213,990".

Amendment No. 122

On page 23, line 40, of said bill, strike out "110,742", and insert "103,184".

Amendment No. 123

On page 23, line 43, of said bill, strike out "331,802", and insert "321,654".

Amendment No. 124

On page 24, line 5, of said bill, strike out "11,897", and insert "12,697".

Amendment No. 125

On page 24, line 13, of said bill, strike out "207,500", and insert "196,552".

Amendment No. 126

On page 26, line 4, of said bill, strike out "230,202", and insert "227,430".

Amendment No. 127

On page 26, line 9, of said bill, strike out "162,184", and insert "159,412".

Amendment No. 128

On page 26, line 13, of said bill, strike out "239,670", and insert "236,898".

Amendment No. 129

On page 26, line 18, of said bill, strike out "230,202", and insert "227,430".

Amendment No. 130

On page 27, line 11, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendment No. 131

On page 27, line 17, of said bill, strike out "1,346,279", and insert "1,341,599".

Amendment No. 132

On page 27, line 19, of said bill, strike out "31,029", and insert "30,716".

Amendment No. 133

On page 27, line 21, of said bill, strike out "1,766,041", and insert "1,761,048".

Amendment No. 134

On page 27, line 35, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendment No. 135

On page 29, line 3, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendment No. 136

On page 29, line 9, of said bill, strike out "9,325,048", and insert "9,318,448".

Amendment No. 137

On page 29, line 10, of said bill, strike out "1,609,138", and insert "1,607,938".

Amendment No. 138

On page 29, line 11, of said bill, strike out "124,160", and insert "111,766".

Amendment No. 139

On page 29, line 13, of said bill, strike out "11,058,346", and insert "11,038,152".

Amendment No. 140

On page 29, line 22, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendment No. 141

On page 29, line 27, of said bill, strike out "670,351", and insert "667,135".

Amendment No. 142

On page 29, line 29, of said bill, strike out "453,802", and insert "450,586".

Amendment No. 143

On page 29, line 33, of said bill, strike out "670,351", and insert "667,135".

Amendment No. 144

On page 29, line 37, of said bill, strike out "424,750", and insert "424,665".

Amendment No. 145

On page 29, line 41, of said bill, strike out "3,565", and insert "3,480".

Amendment No. 146

On page 29, line 43, of said bill, strike out "424,750", and insert "424,665".

Amendment No. 147

On page 31 of said bill, strike out lines 6, 7, and 8.

Amendment No. 148

On page 31, line 32, of said bill, strike out "262,217", and insert "270,929".

Amendment No. 149

On page 31, line 36, of said bill, strike out "323,742", and insert "332,454".

Amendment No. 150

On page 31, line 43, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 151

On page 32, line 5, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 152

On page 32, line 35, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 153

On page 32, line 37, of said bill, strike out "42,845", and insert "50,525".

Amendment No. 154

On page 32, line 38, of said bill, strike out "43,033", and insert "45,193".

Amendment No. 155

On page 32, line 41, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 156

On page 33, line 32, of said bill, strike out "34,930", and insert "17,465".

Amendment No. 157

On page 33 of said bill, after line 32, insert "and in addition thereto, any amounts collected for services to employees which by law are available for support of said agency; provided, however, that none of the funds shall be available for expenditure after December 31, 1951".

Amendment No. 158

On page 33, line 34, of said bill, strike out "24,554", and insert "12,277".

Amendment No. 159

On page 33, line 35, of said bill, strike out "10,800", and insert "5,400".

Amendment No. 160

On page 33, line 36, of said bill, strike out "500", and insert "250".

Amendment No. 161

On page 33, line 38, of said bill, strike out "35,854", and insert "17,927".

Amendment No. 162

On page 33, line 40, of said bill, strike out "924", and insert "462".

Amendment No. 163

On page 33, line 42, of said bill, strike out "34,930", and insert "17,465".

Amendment No. 164

On page 33, line 44, of said bill, strike out "2,827,465", and insert "2,821,463"

Amendment No. 165

On page 33, line 46, of said bill, strike out "2,369,698", and insert "2,364,502"

Amendment No. 166

On page 33, line 48, of said bill, strike out "56,143", and insert "55,337".

Amendment No. 167

On page 33, line 50, of said bill, strike out "2,827,465", and insert "2,821,463".

Amendment No. 168

On page 34, line 48, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 169

On page 35, line 3, of said bill, strike out "3,322,957", and insert "3,316,237".

Amendment No. 170

On page 35, line 4, of said bill, strike out "777,980", and insert "774,967".

Amendment No. 171

On page 35, line 5, of said bill, strike out "72,869", and insert "72,376".

Amendment No. 172

On page 35, line 7, of said bill, strike out "4,173,806", and insert "4,163,580".

Amendment No. 173

On page 35, line 15, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 174

On page 36, line 31, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 175

On page 36, line 34, of said bill, strike out "184,851", and insert "170,776".

Amendment No. 176

On page 36, line 37, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 177

On page 37, line 3, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 178

On page 37, line 12, of said bill, strike out "1,773,402", and insert "1,778,550".

Amendment No. 179

On page 37, line 13, of said bill, strike out "646,476", and insert "646,781".

Amendment No. 180

On page 37, line 14, of said bill, strike out "64,197", and insert "71,533".

Amendment No. 181

On page 37, line 16, of said bill, strike out "2,484,075", and insert "2,496,864".

Amendment No. 182

On page 37, line 27, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 183

On page 37, line 50, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 184

On page 38, line 3, of said bill, strike out "1,041,720", and insert "1,034,340".

Amendment No. 185

On page 38, line 5, of said bill, strike out "67,065", and insert "66,742"

Amendment No. 186

On page 38, line 7, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 187

On page 38, line 20, of said bill, strike out "385,400", and insert "359,000".

Amendment No. 188

On page 38, line 25, of said bill, strike out "425,932", and insert "433,312".

Amendment No. 189

On page 38, line 27, of said bill, strike out "11,778", and insert "12,101".

Amendment No. 190

On page 38, line 29, of said bill, strike out "518,317", and insert "526,020".

Amendment No. 191

On page 38, line 35, of said bill, strike out "121,985", and insert "129,688".

Amendment No. 192

On page 39, line 3, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 193

On page 39, line 9, of said bill, strike out "2,743,710", and insert "2,741,190".

Amendment No. 194

On page 39, line 11, of said bill, strike out "129,515", and insert "128,558".

Amendment No. 195

On page 39, line 13, of said bill, strike out "4,248,966", and insert "4,245,489".

Amendment No. 196

On page 39, line 18, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 197

On page 39, line 20, of said bill, strike out "5,761,783", and insert "5,753,291".

Amendment No. 198

On page 39, line 26, of said bill, strike out "3,989,656", and insert "3,982,204".

Amendment No. 199

On page 39, line 28, of said bill, strike out "161,445", and insert "160,405".

Amendment No. 200

On page 39, line 30, of said bill, strike out "5,909,013", and insert "5,900,521".

Amendment No. 201

On page 39, line 35, of said bill, strike out "5,761,783", and insert "5,753,291".

Amendment No. 202

On page 39, line 37, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 203

On page 39, line 42, of said bill, strike out "1,951,983", and insert "1,949,463".

Amendment No. 204

On page 39, line 44, of said bill, strike out "51,426", and insert "51,026".

Amendment No. 205

On page 39, line 46, of said bill, strike out "3,058,400", and insert "3,055,480".

Amendment No. 206

On page 39, line 50, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 207

On page 40, line 3, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 208

On page 40, line 9, of said bill, strike out "1,816,844", and insert "1,814,564".

Amendment No. 209

On page 40, line 11, of said bill, strike out "73,530", and insert "72,130".

Amendment No. 210

On page 40, line 13, of said bill, strike out "2,688,690", and insert "2,685,010".

Amendment No. 211

On page 40, line 18, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 212

On page 40, line 20, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 213

On page 40, line 25, of said bill, strike out "2,116,872", and insert "2,116,752".

Amendment No. 214

On page 40, line 27, of said bill, strike out "95,464", and insert "94,537".

Amendment No. 215

On page 40, line 29, of said bill, strike out "3,295,794", and insert "3,294,747".

Amendment No. 216

On page 40, line 33, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 217

On page 40, line 35, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 218

On page 40, line 41, of said bill, strike out "2,713,034", and insert "2,710,142".

Amendment No. 219

On page 40, line 43, of said bill, strike out "87,718", and insert "86,418".

Amendment No. 220

On page 40, line 45, of said bill, strike out "4,181,074", and insert "4,176,882".

Amendment No. 221

On page 40, line 50, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 222

On page 41, line 3, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 223

On page 41, line 9, of said bill, strike out "1,889,028", and insert "1,886,508".

Amendment No. 224

On page 41, line 13, of said bill, strike out "2,697,260", and insert "2,694,740".

Amendment No. 225

On page 41, line 18, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 226

On page 41, line 20, of said bill, strike out "4,008,891", and insert "4,008,171"

Amendment No. 227

On page 41, line 26, of said bill, strike out "2,778,059", and insert "2,777,339".

Amendment No. 228

On page 41, line 30, of said bill, strike out "4,095,535", and insert "4,094,815".

Amendment No. 229

On page 41, line 35, of said bill, strike out "4,008,891", and insert "4,008,171".

Amendment No. 230

On page 41, line 37, of said bill, strike out "4,537,151", and insert "4,533,571".

Amendment No. 231

On page 41, line 43, of said bill, strike out "3,165,087", and insert "3,162,567".

Amendment No. 232

On page 41, line 45, of said bill, strike out "118,989", and insert "117,929".

Amendment No. 233

On page 41, line 47, of said bill, strike out "4,680,226", and insert "4,676,646"

Amendment No. 234

On page 41, line 52, of said bill, strike out "4,537,151", and insert "4,533,571"

Amendment No. 235

On page 42, line 3, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 236

On page 42, line 9, of said bill, strike out "1,666,973", and insert "1,666,853".

Amendment No. 237

On page 42, line 13, of said bill, strike out "2,471,050", and insert "2,470,930".

Amendment No. 238

On page 42, line 18, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 239

On page 42, line 20, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 240

On page 42, line 26, of said bill, strike out "2,682,075", and insert "2,681,955".

Amendment No. 241

On page 42, line 28, of said bill, strike out "102,150", and insert "101,944".

Amendment No. 242

On page 42, line 30, of said bill, strike out "3,895,214", and insert "3,894,888".

Amendment No. 243

On page 42, line 36, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 244

On page 43, line 30, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 245

On page 43, line 35, of said bill, strike out "7,793,006", and insert "7,814,010".

Amendment No. 246

On page 43, line 36, of said bill, strike out "2,670,592", and insert "2,693,969".

Amendment No. 247

On page 43, line 37, of said bill, strike out "140,556", and insert "152,168".

Amendment No. 248

On page 43, line 39, of said bill, strike out "10,604,154", and insert "10,660,147".

Amendment No. 249

On page 43, line 50, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 250

On page 44, line 20, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 251

On page 44, line 27, of said bill, strike out "50,230", and insert "42,730".

Amendment No. 252

On page 44, line 30, of said bill, strike out "363,557", and insert "356,057".

Amendment No. 253

On page 44, line 33, of said bill, strike out "186,969", and insert "183,294".

Amendment No. 254

On page 44, line 35, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 255

On page 44 of said bill, after line 35, insert

"181.1—For Department of Natural Resources exhibit at State Fair, Departmental Administration, Department of Natural Resources, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code, in accordance with the following schedule 3,825
and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department.

Schedule:

State Fair exhibits	7,500
Less: Estimated reimbursements:	
For services to activities supported out of other funds	3,675
Net appropriation	3,825".

Amendment No. 256

On page 45, line 5, of said bill, strike out "51,399", and insert "38,577".

Amendment No. 257

On page 45, line 7, of said bill, strike out "2,100,616", and insert "2,087,794".

Amendment No. 258

On page 45, line 14, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 259

On page 45, line 31, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 260

On page 45 of said bill, strike out lines 51 and 52.

Amendment No. 261

On page 46 of said bill, strike out lines 2 to 18, inclusive.

Amendment No. 262

On page 46, line 27, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 263

On page 46, line 32, of said bill, strike out "2,787,144", and insert "2,789,579".

Amendment No. 264

On page 46, line 33, of said bill, strike out "2,173,212", and insert "2,171,926".

Amendment No. 265

On page 46, line 34, of said bill, strike out "400,124", and insert "396,908".

Amendment No. 266

On page 46, line 36, of said bill, strike out "5,360,480", and insert "5,358,413".

Amendment No. 267

On page 46, line 44, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 268

On page 47 of said bill, strike out lines 8, 9, and 10.

Amendment No. 269

On page 48, line 29, of said bill, after "suppression", strike out the comma, and insert "and detection,".

Amendment No. 270

On page 49, line 5, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 271

On page 49, line 10, of said bill, strike out "271,340", and insert "274,796".

Amendment No. 272

On page 49, line 14, of said bill, strike out "376,207", and insert "379,663".

Amendment No. 273

On page 49, line 19, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 274

On page 51, line 35, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 275

On page 51, line 37, of said bill, strike out "89,178", and insert "83,058".

Amendment No. 276

On page 51, line 38, of said bill, strike out "57,261", and insert "56,261".

Amendment No. 277

On page 51, line 41, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 278

On page 55, line 16, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 279

On page 55, line 18, of said bill, strike out "153,845", and insert "80,598".

Amendment No. 280

On page 55, line 19, of said bill, strike out "55,746", and insert "52,246".

Amendment No. 281

On page 55, line 22, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 282

On page 55, line 27, of said bill, strike out "3,924,799", and insert "3,913,298".

Amendment No. 283

On page 55, line 43, of said bill, strike out "3,413,511", and insert "3,411,231".

Amendment No. 284

On page 55, line 44, of said bill, strike out "2,331,912", and insert "2,329,172".

Amendment No. 285

On page 55, line 45, of said bill, strike out "117,651", and insert "116,622".

Amendment No. 286

On page 55, line 47, of said bill, strike out "278,350", and insert "272,898".

Amendment No. 287

On page 55, line 49, of said bill, strike out "6,141,424", and insert "6,129,923".

Amendment No. 288

On page 56, line 19, of said bill, strike out "3,924,799", and insert "3,913,298".

Amendment No. 289

On page 57, line 44, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 290

On page 58, line 10, of said bill, strike out "125,039", and insert "125,744".

Amendment No. 291

On page 58, line 12, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 292

On page 58, line 44, of said bill, strike out "1,265,195", and insert "1,262,785"

Amendment No. 293

On page 59, line 6, of said bill, strike out "989,116", and insert "986,836".

Amendment No. 294

On page 59, line 8, of said bill, strike out "66,876", and insert "66,746".

Amendment No. 295

On page 59, line 12, of said bill, strike out "1,420,349", and insert "1,417,939".

Amendment No. 296

On page 59, line 21, of said bill, strike out "1,265,195", and insert "1,262,785"

Amendment No. 297

On page 59, line 33, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 298

On page 59, line 35, of said bill, strike out "15,000", and insert "45,000".

Amendment No. 299

On page 59, line 42, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 300

On page 60, line 4, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 301

On page 60, line 9, of said bill, strike out "77,743", and insert "72,111".

Amendment No. 302

On page 60, line 10, of said bill, strike out "37,326", and insert "36,336".

Amendment No. 303

On page 60, line 13, of said bill, strike out "117,569", and insert "110,947".

Amendment No. 304

On page 60, line 18, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 305

On page 61, line 3, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 306

On page 61, line 11, of said bill, strike out "1,849,968", and insert "1,848,592".

Amendment No. 307

On page 61, line 12, of said bill, strike out "826,523", and insert "824,273".

Amendment No. 308

On page 61, line 17, of said bill, strike out "2,838,122", and insert "2,834,496".

Amendment No. 309

On page 61, line 20, of said bill, strike out "930,704", and insert "930,272".

Amendment No. 310

On page 61, line 22, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 311

On page 62, line 27, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 312

On page 62, line 39, of said bill, strike out "1,577,148", and insert "1,569,333".

Amendment No. 313

On page 62, line 43, of said bill, strike out "2,409,130", and insert "2,401,315".

Amendment No. 314

On page 62, line 52, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 315

On page 63, line 46, of said bill, strike out "41,491", and insert "98,289".

Amendment No. 316

On page 63 of said bill, strike out lines 48 to 51; and on page 64, strike out lines 2 to 18, inclusive, and insert

"(a) General Fund	45,308
(b) Accountancy Fund	5
(c) State Agricultural Society Contingency Fund	389
(d) Department of Agriculture Fund	41
(e) Fish and Game Preservation Fund	1,140
(f) Fair and Exposition Fund available to 1-A District Agricultural Association under the provisions of Section 19622 of the Business and Professions Code	878
(g) Fair and Exposition Fund available to the California Polytechnic School under the provisions of Section 19622 of the Business and Professions Code	675
(h) State Highway Fund	4,521
(i) State Lands Act Fund	933
(j) Motor Vehicle Fund	2,069
(k) Motor Vehicle Fuel Fund	40,681
(l) Motor Vehicle License Fee Fund	194
(m) Board of Nurse Examiners Fund	48
(n) State Park Maintenance Fund	12
(o) Division of Architecture Revolving Fund	149
(p) Correctional Industries Revolving Fund	130
(q) Estates of Decreased Persons Fund	94
(r) Social Welfare Fund	908
(s) Unemployment Administration Fund	97
(t) Vocational Rehabilitation Fund	17
Total of Schedule	$98,289".

Amendment No. 317

On page 66, line 21, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 318

On page 66, line 24, of said bill, strike out "1,015,711", and insert "1,008,211".

Amendment No. 319

On page 66, line 26, of said bill, strike out "65,100", and insert "52,200".

Amendment No. 320

On page 66, line 28, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 321

On page 66 of said bill, after line 45, insert

"277.1—For major construction, improvements, and equipment, California State Prison at Folsom, Department of Correction, in accordance with the following schedule 50,000

(a) Furniture refinishing

Building	50,000
Total of schedule	50,000".

Amendment No. 322

On page 67, line 35, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 323

On page 67, line 40, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 324

On page 67, line 42, of said bill, strike out "1,135,885", and insert "628,214"

Amendment No. 325

On page 68 of said bill, after line 44, insert

"291.1—For major construction, improvements, and equipment, Fred C Nelles School for Boys, Youth Authority, in accordance with the following schedule: 90,000

(a) School building

School building	90,000
Total of schedule	90,000".

Amendment No. 326

On page 69 of said bill, after line 49, insert

"Expenditure of this appropriation or any part thereof shall be pursuant to concurrence by the Legislative Auditor and the State Public Works Board in the recommendations of a survey relative to continuation of the institution at the present site or construction of a new institution at another site This appropriation may be expended in accordance with the above schedule or in acquisition of site and partial construction of a new institution in accordance with the report as concurred in."

Amendment No. 327

On page 70 of said bill, after line 50, insert

"Item 304.3—For minor construction, improvements, repairs and equipment, initial complement of equipment for Long Beach State College, Department of Education ..... $130,623"

Amendment No. 328

On page 70 of said bill, after line 50, insert

"Item 304.5—For minor construction, improvements, repairs, and equipment, initial complement of equipment, Los Angeles State College of Applied Arts and Sciences, Department of Education ..... $69,602".

Amendment No. 329

On page 70 of said bill, after line 50, insert

"Item 304.7—For minor construction, improvements, repairs and equipment, initial complement of equipment, Sacramento State College, Department of Education ..... $68,357"

Amendment No. 330

On page 70 of said bill, after line 50, insert

"Item 304.8—For major construction, improvements, and equipment, Sacramento State College, Department of Education, in accordance with the following schedule _____ $271,700

(a) Temporary facilities for new campus _____ $271,700

Total of schedule _____ $271,700".

Amendment No. 331

On page 73 of said bill, strike out lines 2 to 8, inclusive.

Amendment No. 332

On page 74, line 16, of said bill, strike out "Working Drawings", and insert "Preliminary Plans".

Amendment No. 333

On page 76 of said bill, strike out lines 11 to 16, inclusive.

Amendment No. 334

On page 76 of said bill, strike out lines 17 through 30.

Amendment No. 335

On page 76, line 31, of said bill, following "For", strike out "major construction, improvements," and insert "minor construction, improvements, repairs,"

Amendment No. 336

On page 76, line 33, of said bill, strike out "75,000", and insert "29,600".

Amendment No. 337

On page 76, line 52, of said bill, strike out "265,020", and insert "261,020".

Amendment No. 338

On page 77, line 21, of said bill, strike out "112,475", and insert "97,975".

Amendment No. 339

On page 82 of said bill, between lines 39 and 40, insert

"378.1—For allocation to the State Water Resources Board for reallocation to the County of Santa Barbara for expenditure for payment, and for necessary advances made, of the cost of cooperation by the State in the program on the Santa Ynez River Watershed, adopted and authorized by the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 _____ _____ 106,000".

Amendment No. 340

On page 88 of said bill, after line 50, insert

"SEC. 14.5. The appropriations made by this act are subject to the following provisions. State-owned motor vehicles shall be used only in the conduct of state business. No state officer or employee shall use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business.

The State Board of Control shall prescribe rules and regulations which:

(a) Define the use of state-owned motor vehicles which constitutes use in the conduct of state business and distinguish such use from misappropriation for private use;

(b) Prescribe the procedure for determining and collecting the actual costs to the State attributable to misuse of state-owned motor vehicles and the disposition of such collections;

(c) Prescribe the records and reports to be kept and made by state agencies relating to the use of state-owned motor vehicles to the end that misuse may be discovered with a minimum of record-keeping; provided that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury as to all statements made in such reports, including a statement that he has not used or permitted the use of any state-owned motor vehicle other than in the conduct of state business as prescribed by the State Board of Control; no money appropriated by this act shall be expended for payment of the salary of any state officer or employee who has operated a state-owned motor vehicle in the preceding month unless he has filed the reports and certification as provided in this section; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined

that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;

(d) Establish methods of vehicle control and accounting which will facilitate and encourage the pooling of vehicles for their most effective utilization;

(e) Govern the storage of state-owned motor vehicles.

The provisions of this section shall not apply to the incumbents of elective state offices.

The Department of Finance shall administer the provisions of this section and the rules and regulations adopted pursuant thereto; provided, however, that it shall be the duty of the head or governing body of each state agency to carry out and enforce this section and said rules and regulations within such state agency.

Any violation by a state officer or employee of this section or the rules and regulations adopted pursuant thereto shall constitute misuse of state property under Section 19572 of the Government Code.

The State Personnel Board, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of the State exempt from civil service for violating this section or the rules and regulations adopted pursuant thereto The procedure prescribed in the State Civil Service Act for taking punitive action against state employees shall apply to punitive action taken under this paragraph."

Amendment No. 341

On page 90, line 1, of said bill, strike out the comma, and insert a period.

Amendment No. 342

On page 90 of said bill, strike out lines 2 and 3

Amendment No. 343

On page 90, line 4, of said bill, strike out "convenience or economy."

ANNOUNCEMENT

Mr. Sherwin announced that if any member wants to submit his own amendments to the Budget Bill, Assembly Bill No 500, the Legislative Counsel should be consulted; and that he will be of great assistance to the members in such preparation.

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 500, and proposed committee amendments, be made a special order of business for Tuesday, March 20, 1951, at 10 30 a.m.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 456
Assembly Bill No. 628
Assembly Bill No. 629
Assembly Bill No. 630

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 2423

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 84

MR. SPEAKER. Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same

Commencing Wednesday, March 14, 1951	*Per day*
Chief Clerk, Arthur A Ohnimus	$27 50
Minute Clerk, Geraldine B Hadsell	16.50
Sergeant-at-Arms, Wilkie Ogg	16 50
Chaplain, Rev. Clarence A. Kircher	5 50
Assistant Chief Clerk, Harold F. Lewright	16 50
Engrossing-Enrolling Clerk, Charles W. Robbins	15 40
History Clerk, Ethel E Brockelbank	14.30
File Clerk, Ruth Riley	13.20
Assistant Clerk, John R. Wendt	13.20
Assistant Clerk, Paul F. Crum	13.20
Assistant Clerk, Robert W. Crown	13.20
Journal Clerk, Walter W. Feeley	13.20
Assistant at Desk, William J. Greene	12.10
Chief Assistant Sergeant-at-Arms, Andrew J Cecchettini	14 30

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 84, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

MOTION THAT NO GUESTS BE INTRODUCED BY MEMBERS FROM FLOOR

Mr. Dickey moved, in the interest of time, that in the future, and for the duration of this session, no guests be introduced by members from the floor; but that the names of all guests, including those of students be brought by the members to the Speaker so that he may, if the calendar permits, introduce them; and that all such names be placed in the Daily Journal.

Messrs. Grunsky, Caldecott, Doyle, and Kirkwood seconded the motion.

Motion carried.

ANNOUNCEMENTS

Mr. Dickey announced that members must not lock their bill books in their desks as the Sergeant-at-Arms and his assistants must collect them every night in order to keep them up to date.

Mr. Dickey announced that ash trays have been ordered for the desks of the members

Mr. Dickey announced that the parents of "Chuck" Irwin, a former Page Boy who has had his legs amputated, have reported that a resolution sent to "Chuck," adopted by this body, has been mislaid; and that "Chuck" Irwin desires another one.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO ORDER ANOTHER RESOLUTION FOR CHARLES ERWIN

Mr. Dickey asked for, and was granted, unanimous consent that the Chief Clerk be instructed to order another suitably engrossed resolution, as formerly adopted by this body, for Charles Irwin; and that he mail said copy to Charles Irwin.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2617 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Condon asked for, and was granted, unanimous consent that Assembly Bill No. 2617 be withdrawn from the Committee on Finance and Insurance, and be re-referred to the Committee on Municipal and County Government.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 85

Relative to a St Patrick's Day celebration in the Assembly, and appropriation of $150 therefor

WHEREAS, It has become a national and often international custom for men of good will and tolerance to join in a celebration of St. Patrick's Day throughout the lands wherein the Sons of Ireland reside; and

WHEREAS, The State of California and more particularly the Assembly of the State are served by no few number of the Sons of Ireland; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of one hundred and fifty dollars ($150) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly to the Rules Committee for the celebration of St. Patrick's Day 1951.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Smith:

House Resolution No. 86

Relating to the Golden Jubilee Anniversary of Glendale High School

WHEREAS, Glendale High School has completed its first 50 years of secondary educational service to the youth of the State of California, developing scholarship, industry and athletic abilities in the student bodies, as well as an appreciation of the arts; and

WHEREAS, This occasion of the Fiftieth Anniversary is being marked by a week's program of alumni visits, social gatherings and historical revues, with the cooperation and guidance of students, alumni and faculty; now, therefore, be it

Resolved by the Assembly of the State of California, That the Principal of Glendale High School, the faculty and the Superintendent of the Board of Education of the Glendale Unified School District, and the Glendale High School Alumni Association be commended for the outstanding contribution made to the welfare of the people

of the State of California, and be commended for the endless personal sacrifices so necessary for the success they have brought to their school, our State and our Nation; and be it further

Resolved, That the Clerk of the Assembly transmit forthwith suitable copies of this resolution to the Principal of Glendale High School, to the Superintendent of the Board of Education of Glendale Unified School District, and to the Glendale High School Alumni Association.

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3375: By Mr. Thomas—An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Assemblymen are receiving letters from state departments wanting to know when their bills are set for hearing; that Members of the Assembly are under no obligation to give further notice than is printed in the Daily File; and that all bills now pending before committees will be set for hearing at an early date.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1090 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1090 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control.

Bill read third time.

Point of Order

Mr. Beck arose to the following point of order: That the bill carries an implied appropriation, and is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Asesmbly Bill No. 40.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 43—An act to amend Section 13145 of the Government Code, relating to refunds by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 26—An act to amend Section 31679 of the Government Code, relating to the members of the County Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 602—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Mr. Beck arose to the following point of order: That, pursuant to Rule No. 45, Assembly Bill No. 602 is not properly before the House because it calls for an expenditure of money, and should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken if the bill has not previously been referred to the Committee on Ways and Means.

Motion That Rule No. 45 Be Temporarily Suspended

Mr. Dunn moved that Rule No. 45 be temporarily suspended, at this time, for the purpose of considering Assembly Bill No. 602.

Mr. Erwin seconded the motion.

Motion temporarily held in abeyance.

Announcement

Mr. Beck announced that Assembly Bill No. 602 has been considered in the Committee on Ways and Means.

Point of Order Withdrawn

Mr. Beck withdrew his point of order.

Motion to Temporarily Suspend Rules Withdrawn

Mr. Erwin withdrew his second.

Mr. Dunn withdrew his motion to temporarily suspend Rule 45.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 566—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendment:

Amendment No. 1

On page 5, lines 33 and 34, of the printed bill, restore the language stricken out: After "State", in line 33, insert "or maintains a permanent place of abode within this State".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941.

Resolution read.

Demand for Previous Question

Messrs. Babbage, Geddes, Burke, Rosenthal, and Lindsay demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 10.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lindsay, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Mr. Speaker—50.

NOES—Babbage, Caldecott, Collier, Conrad, Hansen, Klocksiem, Lanterman, Levering, Lincoln, Shaw, Sherwin, and Smith—12

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—Relative to urging equal opportunity in public employment for qualified physically handicapped citizens of the State.

Resolution read, and adopted unanimously

Resolution ordered transmitted to the Senate.

Assembly Bill No. 587—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 29—Relative to eggs shipped to Hawaii.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 30—Relative to participation in the events of the Thirty-second Annual Public Schools Week.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3347 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3347 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

RECESS

At 11.35 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 32

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1822
Assembly Bill No. 1824
Assembly Bill No. 1158

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 19: By Messrs. Hinckley, Erwin, Babbage, and McCollister—Relative to the continued propagation of the natural resources of the State with respect to dams constructed by the Bureau of Reclamation.

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 600

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 600, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 600

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Silliman, Stanley, Tomlinson, and Mr. Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 603

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 603, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 603

Assembly Bill No. 603—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Silliman, Stanley, Stewart, Tomlinson, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 16—Relative to the compensation of postal employees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Silliman, Stanley, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Joint Resolution No. 17, on motion of Mr. Moss.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 22—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 235

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 235, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 235

Assembly Bill No. 235—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2143

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2143, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2143

Assembly Bill No. 2143—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call on Assembly Bill No. 2143

Messrs. Connolly and Evans asked for, and were granted, unanimous consent that their names be placed upon the roll call on Assembly Bill No. 2143, and that they be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2144

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2144, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2144

Assembly Bill No. 2144—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2145

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2145, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2145

Assembly Bill No. 2145—An act to repeal Section 10651 of the Insurance Code, relating to associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2146

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2146, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2146

Assembly Bill No. 2146—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State.

Bill read third time.

Motion to Amend

Mr. Sam L Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2615", and insert "Article 5, Chapter 2, Division 4".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 2615", and insert "Article 5, Chapter 2, Division 4".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2147

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2147, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2147

Assembly Bill No. 2147—An act to amend Section 960 of the Welfare and Institutions Code, relating to public schools in juvenile homes or camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lauterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2148

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2148, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2148

Assembly Bill No. 2148—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2149

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2149, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2149

Assembly Bill No. 2149—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2150

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2150, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2150

Assembly Bill No. 2150—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2151

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2151, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2151

Assembly Bill No. 2151—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2152

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2152, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2152

Assembly Bill No. 2152—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2153

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2153, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2153

Assembly Bill No. 2153—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extra Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2154

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2154, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2154

Assembly Bill No. 2154—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2155

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2155, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2155

Assembly Bill No. 2155—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2156

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2156, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2156

Assembly Bill No. 2156—An act to amend Section 2411 of the Labor Code, relating to public labor camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2157

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2157, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2157

Assembly Bill No. 2157—An act to amend Section 2102 of the Labor Code, relating to public labor camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2158

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2158, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2158

Assembly Bill No. 2158—An act to amend Section 1596 of the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Colher, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2159

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2159, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2159

Assembly Bill No. 2159—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Colher, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2160

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2160, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2160

Assembly Bill No. 2160—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2161

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2161, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2161

Assembly Bill No. 2161—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2162

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2162, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2162

Assembly Bill No. 2162—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2163

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2163, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2163

Assembly Bill No. 2163—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2164

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2164, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2164

Assembly Bill No. 2164—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read third time.

Motion to Amend

Mr. Sam L Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add", and insert "amend".

Amendment No. 2

In line 1 of the title of said bill, after "10115", strike out "to", and insert "of".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 10115 of the Insurance Code is amended".

Amendment No. 4

On page 1, line 9, of said bill, strike out "officer", and insert "office".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2165

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2165, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2165

Assembly Bill No. 2165—An act to amend Section 9060 of the Insurance Code, relating to exemptions

Bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2166

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2166, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2166

Assembly Bill No. 2166—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2167

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2167, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2167

Assembly Bill No. 2167—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2168

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2168, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2168

Assembly Bill No. 2168—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2170

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2170, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2170

Assembly Bill No. 2170—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2171

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2171, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2171

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2172

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2172, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2172

Assembly Bill No. 2172—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2173

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2173, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2173

Assembly Bill No. 2173—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2174

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2174, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2174

Assembly Bill No. 2174—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2175

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2175, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2175

Assembly Bill No. 2175—An act to amend and renumber Section 6904 of the Education Code, relating to average daily attendance in school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2176

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2176, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2176

Assembly Bill No. 2176—An act to amend Section 4663 of the Education Code, relating to annexation of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2177

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2177, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2177

Assembly Bill No. 2177—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2178

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2178, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2178

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, after "thereof", insert a comma.

Amendment No. 2

On page 2, line 7, of said bill, after "Law", insert a comma.

Amendment No. 3

On page 2, line 7, of said bill, after "amended", insert a comma.

Amendment No. 4

On page 2, line 18, of said bill, after "cause," strike out "of", and insert "if".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2179

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2179, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2179

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "waiver", and insert "waived".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2180

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2180, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2180

Assembly Bill No. 2180—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Geddes, Maloney, and Dunn:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 44.2, 151, 203, 208, 209, 400, and 456 of and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act relating to unemployment compensation disability insurance.

Respectfully submitted.

ERNEST R. GEDDES
THOMAS A. MALONEY
FRANCIS DUNN, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs Geddes, Maloney, and Dunn:

An act to amend Section 44.2, 151, 203, 208, 209, 400 and 456 of and to add Sections 209.1, 310, 310.5 and 452.5 to the Unemployment Insurance Act relating to unemployment compensation disability insurance.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Waters asked for, and was granted, unanimous consent that his name be placed upon the roll call granting permission to Messrs. Geddes, Maloney, and Dunn to introduce a bill, and that he be recorded as voting "Aye."

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3376: By Messrs. Geddes, Maloney, and Dunn—An act to amend Sections 44.2, 151, 203, 208, 209, 400 and 456 of and to add Sections 209.1, 310, 310.5 and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the invitational dinner to be given tonight by Senator and Mrs. Arthur W. Way, assisted by Senator and Mrs. Fred Weybret, will be held at 6.30 p.m. in the Empire Room of the Hotel Senator, and expressed appreciation on behalf of the Members of the Assembly for their kind invitation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 19—Relative to congratulating Lloyd Lapham;

Assembly Concurrent Resolution No. 28—Approving Charter Amendment No. 30 to the charter of the City of Palo Alto, County of Santa Clara, State of California,

voted for and ratified by the qualified electors of the said City of Palo Alto at a special municipal election held therein for that purpose on the seventh day of November, 1950.

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of March, 1951, at 2 p.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 16—Relative to the immigration of Basque sheepherders pursuant to Public Law 587 of the Eighty-first Congress.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.

Rules, in Room 320.

At 8 p.m.

Education, in Room 432.

Municipal and County Government, in Room 446.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 426

Governmental Efficiency and Economy, in Room 435. Subject: Authors' amendments.

MOTION THAT REPORTS OF SUBCOMMITTEES RELATIVE TO CONTESTED ELECTIONS BE PRINTED IN JOURNAL

Mr. Waters moved that a letter of transmittal, by him, and the reports of two Subcommittees of the Committee on Elections and Reapportionment, relative to the contested elections of Messrs. Henderson and McGee, with attached data pertaining to the subject, be ordered printed in the Journal, in 10-point type.

Mr. Meyers seconded the motion.

Motion carried.

LETTER OF TRANSMITTAL AND REPORTS OF SUBCOMMITTEES ON ELECTIONS AND REAPPORTIONMENT

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, March 14, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento 14, California

DEAR MR. SPEAKER: Submitted herewith are the reports of the subcommittees assigned by your Committee on Elections and Reapportionment to investigate the election contests of the Honorable Wallace Henderson of the Thirty-fourth District and the Honorable Patrick D. McGee of the Sixty-fourth District.

These reports were unanimously approved by the Committee on Elections and Reapportionment on March 13, 1951, and it is the recommendation of your committee that the contests pending against the Honorable Wallace Henderson and the Honorable Patrick D. McGee be dismissed and that they be confirmed as members of this body.

Your committee feels compelled to point out to the membership that while contested elections are properly triable by this House, the contest of elections does not include violations of the Elections Code. Such violations are properly within the jurisdiction of the district attorney of the county in which the violations occur or may be properly presented to the grand jury of the appropriate county. Such matters should not be determined by this body but should be directed to the attention of the local officials whose duties include enforcement of the provisions of the Elections Code. An opinion from the Legislative Counsel is submitted herewith in support of the above conclusions.

Respectfully submitted,

LAUGHLIN E. WATERS, Chairman
Committee on Elections and Reapportionment

ASSEMBLY, CALIFORNIA LEGISLATURE, March 13, 1951

ELECTION CONTEST

J. H. Morris, et al., Contestants

vs.

Wallace Henderson, Contestee

The Standing Committee
on Elections and Reapportionment

GENTLEMEN: Your subcommittee, consisting of Charles W. Lyon, Chairman; Earl W. Stanley, Charles J. Conrad, Augustus F. Hawkins, and George D. Collins, have held a number of meetings in connection with this election contest here in Sacramento; and also held a meeting on March 7th in the County Court House of Fresno County.

At the first meetings, procedure was agreed upon between the attorneys for the contestants and the contestee and, in pursuance thereof, a commissioner was appointed on behalf of the committee to conduct the preliminary procedure and ballot count in the Office of the County Clerk of the County of Fresno, California. The commissioner appointed by your subcommittee was Adelbert DeVaul, 3356 Grant Avenue, Fresno, California; and this appointment was agreed to by the county clerk and the attorneys for both parties.

The commissioner, acting for the committee, supervised the counting of all the ballots which were cast in the Thirty-fourth Assembly District, and, by pre-arrangement with counsel for the parties affected, all questionable or void ballots, or ballots objected to by either of the attorneys, were set aside. When this work was completed, which count was carried on under the direction of the commissioner and the attorneys through the services of civil service employees of the Fresno County Clerk's office, a report was rendered to the chairman of the subcommittee.

We then secured the assistance of Mr. Joseph W. Paulucci of the Legislative Counsel Bureau, and an official court reporter, and the committee convened for its final meeting in Fresno where, under the guidance of Mr. Joseph W. Paulucci, and with the continued observation of the attorneys for both the contestee and contestants, all questionable ballots were counted. The total result of that count was, and to none of which there was objection, Mr. Henderson received 119 more votes than did Mr. Schroeder.

Application was made to the committee for a continuance by the contestants' attorney, Mr. Lucius Powers, representing the contestants for the purpose of filing a supplemental statement involving other matters of misconduct and malconduct on the part of the election officials at said Assembly election. The committee adjourned after taking the matter under consideration, and stated to Mr Powers that he would be permitted to file his supplemental statement and such affidavits in support thereof as he might desire.

Last Saturday there appeared a statement in the *Fresno Bee* that Mr. Powers had decided to abandon the filing of any supplemental statement, and would allow the subcommittee to make its recommendation based on the evidence and investigation already concluded. The chairman

of the subcommittee contacted Mr. Powers, and found that he did not wish to offer any further evidence.

Under all the circumstances, your committee feels that the Board of Supervisors of the County of Fresno, due to the developments at our hearings and inefficiency on the part of some of the election officials, should order conducted an election class at which their election officials would be advised as to the legal manner in which to conduct an election.

Your subcommittee further feels that any misconduct or malconduct of the election officials, as called attention to by the affidavits, should be the subject of investigation by the proper authorities of the County of Fresno, to wit: The district attorney's office or through the office of the grand jury of that county.

No evidence having been introduced, other than the affidavits, in support of malconduct or misconduct; and, since your committee has examined every single ballot, both questionable and otherwise, which was cast in the Thirty-fourth Assembly District, we advise that the contestee, Wallace Henderson, received 119 more votes than candidate Schroeder; and we recommend to the Committee on Elections and Reapportionment that the contest be dismissed, and that Mr Henderson be permitted to retain his seat as Assemblyman from that district.

No evidence was received or offered which would indicate any wilful misconduct on the part of the election officials, and the errors which were made were apparently due to lack of knowledge of the election laws and additional lack of experience on the part of those officials

Respectfully submitted.

CHARLES W. LYON, Chairman
EARL W. STANLEY
GEORGE D. COLLINS, JR.
AUGUSTUS F. HAWKINS
CHARLES J. CONRAD

P.S. The legal opinion of Legislative Counsel Deputy, Joseph W. Paulucci, is attached hereto for such disposition as the chairman of the committee may desire to make of it. However, your subcommittee would suggest that possibly the printing of this legal opinion in the Journal would prove of great interest to the Assembly and Senate for the consideration of future matters of this kind.

Since writing the above report, as chairman of the subcommittee, I have received a dismissal with prejudice of the above entitled contest, and the documents appertaining thereto are attached.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 2, 1951

Honorable Charles W. Lyon
210 W. Seventh Street
Suite 837, Los Angeles, California

Election Contest—No. 5679

DEAR MR. LYON: You have asked us a series of questions relating to the Henderson-Schroeder election contest now pending in the Assembly.

Before discussing your specific questions some general observations may be appropriate.

In this proceeding the Assembly is acting under the provision of Section 7 of Article IV of the State Constitution that "Each house shall * * * judge of the qualifications, elections, and returns of its members."

The Constitution also provides that "Each house shall determine the rule of its proceedings * * *." (Sec. 9, Art. IV).

In entertaining this contest the Assembly is acting under the power conferred directly upon it by the Constitution. The statutory provisions relating to contesting general elections do not apply (see Sec. 8510, Elec. C.) and it may adopt any procedure which it determines upon.

The position of the contestant in this contest is somewhat different than that of a contestant in a statutory proceeding. What the contestant has done, in effect, is to suggest to the Assembly that here is a situation in which the Assembly should exercise *its* power to judge of the election of one of its members.

The power of the Assembly so to judge is vested in the Assembly itself and could be exercised even if there were no contestant. Therefore, while the Assembly may properly permit the contestant to "make his case," it is not bound by the case so made. It may investigate any phase of the election whether or not the contestant has raised any question as to that phase.

In other words, the Assembly has a free hand to make any investigation it chooses by any method it chooses. It may proceed along the same lines generally that a court would follow in a statutory contest, but it is not bound to do so. If any device or procedure will result in the most nearly attainable justice to the parties, to the voters, and to the Assembly itself, such device or procedure may be adopted.

We will now discuss your specific questions in series.

Question 1. Is the Assembly justified in throwing out the entire vote of a precinct when it discovers a stuffed ballot box situation where there are more ballots in the ballot box than there are names signed on the voting roster on the day of the election?

In our opinion throwing out the entire precinct vote should be resorted to only as a last resort To throw out the entire precinct vote would disfranchise certain honest voters who voted legally, and we assume that the Assembly would want to avoid this if possible

Section 7007 of the Elections Code provides that if the ballots in the box exceed the number of names on the tally lists, one of the judges shall publicly, without looking into the box, draw out singly and destroy unopened, a number of ballots equal to such excess. The precinct board makes a record on the roster and tally list of the number of ballots so drawn and destroyed.

If this procedure was not followed at the polls, as it should have been, we can see no reason why it should not be followed in the contest procedure. The rejected ballots are preserved and these, with the ballots which were counted, could be placed in a box. This should restore the contents of the box to the condition in which they existed at the close of the polls. The ballots could then be removed as provided in Section 7007 and the remainder counted.

In a situation where the number of excess ballots was relatively small and no indication of fraud of illegal voting existed, this would appear to be an appropriate solution. The situation where the excess ballots are of such number as to indicate fraud is discussed under Question No. 3.

Question 2. Can any other roster be substituted where the voters signed a city roster and failed to sign the general elections roster on the day of the election?

Assuming that the voters signed the city roster under the assumption that signing it was all that was required, the voters themselves would be entirely innocent. In failing to maintain a proper roster, the precinct officers were guilty of irregularity or improper conduct.

If the precinct officers mistakenly believed that the signing of the city roster was sufficient and treated it as the general election roster, we do not think the voters should be disfranchised. In *People* vs. *Prewett*, 124 Cal. 7, after citing cases to the point that misconduct of the election officials not touching the essential prerequisites of the validity of the election should not void the election, the court said:

> "The principle underlying these decisions is, that the rights of the voters should not be prejudiced by the errors or wrongful acts of the officers of election, unless it shall appear that a fair election and an honest count were thereby prevented."

It would be proper to call the members of the precinct board to testify as to what transpired. If the city roster was used as the general election roster and no other irregularity existed and no one voted who did not sign such roster, we think it would be proper to count the votes. In *Davis* vs. *Grunig*, 143 Cal. 336, the failure of the precinct board to return the tally list was held not to preclude the counting of the ballots from the precinct in a contest of the election.

The same general principle appears in Section 8512 of the Elections Code which provides that no irregularity or improper conduct of the judges, or any of them, avoids an election unless it is such as to procure the election of a candidate when he has not received the requisite number of legal votes.

Question 3. Is the Assembly justified in throwing out the vote of the precinct in the event it finds there are more ballots than there are registered voters in the precinct?

While the procedure provided for in Section 7007 for withdrawing from the box a number of ballots equal to the excess over the number of voters who signed the roster apparently applies regardless of the number of excess ballots, it need not necessarily be followed.

It is implicit that a fraud has occurred but presumably by whom or on whose behalf it was committed can not be ascertained. An annotation on the subject appears in 155 A.L.R. 677.

There is no really satisfactory solution to the problem. If all of the illegal votes are cast for one candidate and the statutory process is followed that candidate has the advantage that some of the ballots withdrawn will have been valid votes for his opponent. If the rule is that the precinct vote is thrown out, a candidate could gain an advantage by having the ballot boxes in the precincts his opponent was likely to carry

stuffed with excess votes. If the illegality is simply disregarded and all of the votes counted, it is an invitation to stuffing the boxes.

If all of the excess votes are taken from the candidate having the majority in the precinct, an arbitrary inference is made that the illegal ballots were cast for him. On the other hand, to take the excess votes from both candidates equally, or proportionately, is to make an arbitrary inference that the illegal votes were cast for each in the same proportion. The only other alternative is to declare the entire election void.

Presumably the statutory provision for withdrawing and destroying the excess ballots has not been followed at the polls. If it has been and the votes have been counted as provided by law, the Assembly may appropriately let the matter rest. If the statutory procedure has not been complied with, and all the ballots have been preserved, the procedure can still be complied with as outlined in the answer to Question No. 1. We can see no valid objection to doing at this juncture the same thing that should have been done at the polls if the same condition can be restored as then existed.

If for any reason this cannot be done, we think the next best procedure would be to throw out the precinct vote entirely or, if the ballot stuffing was prevalent in a large number of precincts, to declare the election void.

There is respectable authority for disregarding the precinct vote in such a situation (see cases collected in 155 A. L. R. 683). If, however, the vote of a number of precincts would be thrown out by this process so that the number of voters in the remaining precincts would be relatively small, the Assembly would be justified in determining that it is impossible to determine the will of the people with any degree of satisfaction and that no one was properly elected.

There is also respectable authority for the pro-rata deduction of the excess votes on the basis of the number received by each candidate in the precinct (see cases collected in 155 A. L. R. 684). The Assembly is free to adopt this solution if it chooses. However, a statutory method having been provided for disposing of excess votes, the Assembly may consider it more appropriate to follow that method if it can be done.

Question 4. How should the Assembly rule where it finds a cross on the line standing between the names of two candidates for the office?

In *Garrison* vs. *Rourke,* 32 Cal. 2d 430, at 438, the court, in discussing a situation where the printed line ran just below the middle of the cross, said that whether or not there was a sufficient portion of the cross in the square opposite the defendant's name to count as a vote for him was a question of fact and refused to disturb the trial court's conclusion that it was not possible to ascertain which candidate was intended. The court also said that the provision of Section 7050 of the Elections Code that a cross partly within and partly without a voting square does not invalidate the ballot does not necessarily include a situation where the cross is partly within two voting squares.

We think it would be a fair rule if the Assembly considered that when the major portion of the cross appeared in one voting square it should count as a vote for that candidate even though a portion of the cross were in the voting square of another candidate.

Question 5 How should the Assembly rule when there is an X mark and a blotted mark caused by excess ink?

If the blot is clearly an offset of a marked cross and the blot is not a distinguishable cross of itself, the blot may be disregarded. If the blot forms a distinguishable cross and there is a stamped cross opposite the name of the other candidate, the ballot should not be counted for either. (See *Garrison* vs. *Rourke*, 32 Cal. 2d 430, at 440.)

Question 6. Is an indelible pencil marked ballot acceptable?

Section 7050 of the Elections Code provides that a ballot not marked as provided by law shall be void. Section 5707 of the code requires the voter to be orally instructed to mark his ballot only with the stamp provided or his ballot will not be counted.

Therefore, except in the case of absent voters' ballots which may be marked with pen and ink or pencil, a pencil marked ballot is not properly marked.

Question 7. Must a ballot, to be acceptable, be marked with an X in ink as well as with a stamp?

As stated above, the stamp only must be used in voting ballots other than absent voters' ballots.

Question 8. What should the Assembly do with properly marked ballots which were rejected by the election board and placed in an envelope with the void ballots?

An effort should be made to find out the facts. It is possible that the precinct board found that it had an excess number of ballots and withdrew these before counting the ballots but, instead of destroying them, retained them and put them with the void ballots. It is also possible that these ballots were properly counted but inadvertently left out of the proper envelope and simply tucked into the envelope in which they are found.

If the ballots in question were rejected when they should not have been rejected, the proper thing to do is to count them.

Question 9. Where five election solicitors were stationed at the front door of the polls, distributed campaign literature to all comers, entered the election premises and booths and continued to distribute campaign material all day long, and the vote in the precinct is such that it would determine the election, may the Assembly, in its discretion, purge the entire vote of the precinct where the result of such malconduct showed a disproportionately large vote for the party wilfully soliciting the votes in said precinct?

This is a "loaded" question and the obvious answer is "Yes." The Assembly may disregard the precinct vote for any reason it may find sufficient and is accountable to nobody but itself as to how it determines a contest.

In permitting such solicitation the precinct board was presumably guilty of improper conduct. Section 8512 of the Elections Code provides that no irregularity or improper conduct of the judges avoids the election unless it is such as to produce the election of a person who has not received the requisite vote.

In a judicial proceeding it would seem to be incumbent upon the contestant to show that such misconduct affected the result and the mere fact that violations of the law against soliciting in or near the polls was

committed or countenanced would not of itself serve to show that the result was affected.

The Assembly is not bound by the rules applicable to contests in the courts If the Assembly should determine that as a result of the unlawful solicitation in or near the polls a candidate received an undue advantage over his opponent, the Assembly could take whatever steps it considered appropriate to correct the situation.

If the Assembly should find that the presence of the solicitors at or near the polls prevented a free expression of the will of the voters, it would have the power to throw out the precinct vote. What facts would be necessary to establish this would be a question for the Assembly to determine.

The throwing out of the precinct vote would presumably disfranchise a certain number of voters who were not influenced by the solicitation. It would be extremely difficult to determine the extent, if any, to which such solicitation had any effect. If, however, in the terms of the question, "the result of the malconduct showed a disproportionately large vote for the party wilfully soliciting the votes in the precinct," the Assembly could determine that the solicitation adversely affected the other party. How such a "disproportionately large vote" could be shown to have resulted is not apparent, but if it can be shown to have resulted, the Assembly is entitled to consider the matter and proceed as in its discretion it determines.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Request for Dismissal, With Prejudice

CALIFORNIA ASSEMBLY
STATE OF CALIFORNIA

In the Matter of the Contested Election of WALLACE HENDERSON, for Office of Assemblyman, Thirty-fourth District.

J. H. MORRIS, WILLIAM E. REYNOLDS, JESS A. TRISCUIT, *Contestants,* *vs.* WALLACE HENDERSON, *Contestee*	DISMISSAL WITH PREJUDICE

To the Clerk of the Assembly:

You are hereby requested to dismiss, with prejudice, the above entitled contest.

Dated: March 10, 1951

LUCIUS POWERS
Attorney for Contestants

Since the Legislature is reconvening on Monday for important business, and in order to be fair to Mr. Wallace Henderson and his many supporters who voted for him at the election wherein the official recount now

shows he received a plurality of 119 votes more than George Schroeder, we feel that we should not unduly prolong the election contest and leave Mr. Henderson in doubt as to his legal standing. We are, therefore, today recommending to the Elections Committee of the State Assembly, that the election contest be dismissed as of this date and Mr Henderson be declared the duly elected Assemblyman of the Thirty-fourth Assembly District.

On the other hand, we believe the ruling of the Legislative Committee on March 7, 1951, indicated that malconduct of election officials or candidates and their agents should be handled by the law enforcement agencies, removes a considerable portion of the contest relating to certain irregularities in certain important precincts won by Wallace Henderson. We believe it would be interesting to the public to know that in sampling 50 registered voters in one precinct, we found 7 people having voted illegally in that they had changed their residences outside of the precinct and were still continuing to vote contrary to the law.

We think that without doubt prompt steps should be taken to tighten up the election procedure in Fresno County so that our elections held hereafter will conform to the law.

We desire to state that we have not found any evidence of corruption or fraud on the part of the county clerk, his assistant, or any member of the election boards. We feel that the public should know that they have honest boards in Fresno County even though they may not be observing all of the requirements set forth in the Elections Code. Similarly we desire to express our appreciation for the cooperation given by Mr. Brown and all the members of the various election boards. We firmly believe that secrecy at election and the voting franchise should be scrupulously preserved and protected.

We also wish to express our appreciation for the cooperation rendered by Chairman Charles Lyon and the members of his Election Committee, to Laughlin Waters, and to the various members who served on the Election Contest Committee. Their sincere and earnest attention to our contest and the promptness with which it was handled, deserve everyone's commendation.

We think that the election contest has shown many weaknesses in our present election laws and we will have five or six specific amendments to propose to the present voting laws, which should bring about an improvement in the present election system.

LUCIUS POWERS
ATTORNEY AT LAW
FRESNO 1, CALIFORNIA

March 10, 1951

Chairman Charles W. Lyon,
State Capitol, Sacramento, California

DEAR CHAIRMAN LYON:

In Re: J. N. Morris et al., *Contestants,*
vs. Wallace Henderson, *Contestee*

On the part of the contestants in the above entitled case, we desire to request dismissal as of this date of the above entitled election contest and request you, and your committee, to declare Wallace Henderson

officially elected Assemblyman of the Thirty-fourth Assembly District, following official recount and canvass of the ballots voted at the November 7th election.

As attorney for the contestants, we desire to express our appreciation for the prompt, courteous manner in which your committee handled this contest. We feel that the results of this contest have been most constructive and helpful in guiding future elections and a possible drafting of certain needed amendments to our present voting procedure, as set forth in our present election laws In this regard, I desire to forward you, within the next few days, some of the results of the canvass and proposed Elections Code amendments.

Sincerely yours,

LUCIUS POWERS

ELECTION CONTEST

Eldon James Markwort, Contestant
Patrick D. McGee, Contestee

ASSEMBLY CHAMBER
SACRAMENTO, CALIFORNIA, March 13, 1951

Hon. Laughlin Waters, Chairman
Assembly Committee on Elections
and Reapportionment
Capitol Building, Sacramento, California

MR. CHAIRMAN: Your Subcommittee on Elections and Reapportionment, to which was referred the contest of Mr. Eldon James Markwort of the election of Patrick D. McGee to the office of Member of the Assembly from the Sixty-fourth Assembly District of the State of California, met pursuant to previous notice on January 19, 1951, with a full committee present, perfected its organization, and the members were advised of the statement of grounds of said contest filed by said Eldon James Markwort; pursuant to instructions to the chairman of the committee by the members of the committee, a stipulation was drawn and executed between Eldon James Markwort and Patrick D. McGee and approved by your chairman, which provided that the election contest would be submitted to the committee upon the reporter's transcript in the Superior Court of the State of California, and copies of the briefs filed by the respective parties on appeal of the election contest and considered by the Appellate and Supreme Courts of the State of California together with all exhibits filed at the time of the trial in said superior court together with a photostatic copy of application for World War II veterans military pay filed with the State of Michigan; further provided that each of the parties may call additional witnesses or produce additional testimony before said committee not later than February 15, 1951, and that neither of the parties to the stipulation avail themselves of such opportunity; that the issue in the above entitled contest shall be submitted for decision by your subcommittee as provided in the stipulation.

Pursuant to the stipulation, all of the members of your committee read and considered all of the documents referred to in the stipulation.

Subsequently, on March 12, 1951, pursuant to previous notice duly given, your committee met with all members present and considered the issues in said contest.

The principle grounds of contest as set forth by contestant are as follows:

> "That said McGee was and is still ineligible to the office of Member of Assembly in the State of California, in that he has not and will not have been a citizen and inhabitant of the State of California three years next before November 7, 1950, as required by Art. IV. Sec. 4, of the Constitution of the State of California.
>
> That Contestant has been informed and believes and, upon his information and belief, alleges the fact to be that said McGee has only been a bonafide resident of the State of California since March 10, 1948, at or about which time he came to California to take the California Bar examination; that prior thereto, said McGee was a bonafide resident of the State of Massachusetts and resided at 14 Prentiss Street, in the City of Cambridge, from which residence he registered to vote on September 19, 1947, and thereafter did vote and in his Affidavit of Registration claimed one and one-half years residence in the City of Cambridge at the time of his said registration.
>
> That Contestant is further informed and believes and, upon his information and belief, alleges the fact to be that said McGee resided in Detroit, Michigan, at 90 Collingwood Avenue, for the period from 1932 to 1945; at Cambridge, Massachusetts, as aforesaid, at 14 Prentiss Street, from 1945 to 1948; and at Pasadena, California, at 708 East California Street, from on or about March 10, 1948, to July, 1948. That Contestant further avers on information and belief that Contestee's statement in his Declarations of Candidacy filed as aforesaid, that he has been a resident of the State of California for twelve (12) years, is false and untrue.
>
> That said McGee, in his Declarations of Candidacy filed as aforesaid, alleged in said Declarations of Candidacy that he has been a citizen of the United States for thirteen (13) years. That Contestant is informed and believes and, upon such information and belief, alleges the fact to be that said McGee was naturalized on a derivative paper issued in the State of Pennsylvania on January 27, 1944, Application No. 8-A-4206, No. A98887. That, based upon said information and belief, Contestant alleges that said McGee's statement in his Declarations of Candidacy, that he has been a citizen of the United States for thirteen (13) years, is likewise false and untrue."

To all of which your committee, after giving careful consideration to the documentary evidence introduced in the matter before it, respectfully reports the same back with the following findings:

That said Patrick D. McGee received the highest number of votes cast for the office of Member of the Assembly from the Sixty-fourth Assembly District at both said primary and general elections and that Honorable Frank M. Jordan, Secretary of State of California did issue to the said Patrick D. McGee a certificate of election certifying that the said Patrick D. McGee has been elected to the office of Member of the Assembly for the Sixty-fourth Assembly District.

That Patrick D. McGee has been a bonafide citizen and inhabitant of the State of California for more than three (3) years and will have been a bonafide citizen and inhabitant of the State of California for more than three (3) years immediately preceding November 7, 1950, as required by Article IV, Section 4 of the Constitution of the State of California.

That Patrick D. McGee has been a bonafide citizen and inhabitant of the Sixty-fourth Assembly District of the State of California for more than one (1) year and has been a bonafide citizen and inhabitant of the Sixty-fourth Assembly District of the State of California for more than one (1) year immediately preceding November 7, 1950, as required by Article IV, Section 4 of the Constitution of the State of California

That Patrick D. McGee has been a bonafide citizen of the United States of America since May 4, 1931.

In view of the foregoing, your committee is of the opinion that Patrick D McGee qualified for the office of Assemblyman of the Sixty-fourth Assembly District and that the contest should be dismissed.

Wherefore your committee respectfully submits this report.

RICHARD J. DOLWIG, Chairman
RANDAL F. DICKEY
MARVIN SHERWIN
LESTER T. DAVIS
WILLIAM C. BERRY

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Honorable Laughlin E. Waters
Assembly Chamber

ELECTION OFFENSES AT THE POLLS—No. 5905

DEAR MR. WATERS: You have asked for a summary of the provisions of law relating to election offenses at the polling places, including the method of enforcement of such provisions.

Offenses

The following is a list of activities in or about polling places which are made criminal by various provisions of the Elections Code.

1. Forging or counterfeiting returns of an election purporting to be held at a precinct where no election was in fact held. (Elec. C. 11550.)

2. Willfully executing forged or counterfeited returns of election in the place of true returns for a precinct where an election was actually held. (Elec. C. 11550.)

3. Willfully adding to, or subtracting from, the votes actually cast at an election, in any official or unofficial returns, or altering returns. (Elec. C. 11551.)

4 Opening or examining, or permitting to be opened or examined, the folded ballot of any voter which has been handed in; marking any folded ballot with the purpose of ascertaining the name of any person for whom the voter has voted. These offenses apply only to inspectors, judges, or clerks of an election. (Elec. C. 5729.)

5. Aiding in changing or destroying any poll list or official ballot; aiding in wrongfully placing any ballots in the ballot box, or in taking any therefrom; adding, or attempting to add, any ballots to those legally polled at any election, by fraudulently putting them into the ballot box, either before or after the ballots therein have been counted; adding to, or mixing with, or attempting to add to, or mix with, the ballots polled, any other ballots, while they are being counted or canvassed, or at any other time, with intent to change the result of the election, or allowing another to do so; carrying away or destroying, or permitting the carrying away or destroying, of any poll list, ballot box, or ballots lawfully polled. These provisions apply only to officers or clerks of election. (Elec. C. 11553.)

6. Aiding or abetting the commission of any of the offenses mentioned in Sections 5729, 11550, 11551, or 11553, all of which are summarized above. (Elec. C. 11552.)

7. Willfully neglecting or refusing to perform official duties defined by, or knowingly or fraudulently acting in contravention of any provisions of, the Elections Code, on the part of any person charged with the performance of any duty under any laws of the State relating to elections. (Elec. C. 11502.)

8. Soliciting a vote or speaking to a voter on the subject of marking his bill within 100 feet of a polling place. (Elec. C. 5560.)

9. Electioneering on election day within 100 feet of any polling place. (Elec. C. 5561.)

10. Voting by person not entitled to vote, or voting more than once at any one election, or aiding in the commission of such offense. (Elec. C. 5701, 11700.)

11. Impersonating or attempting to impersonate a voter, or aiding in the commission of such offense. (Elec. C. 11700.)

12. Assisting or advising another person to vote, knowing that such person is not qualified. (Elec. C. 11701.)

13. Refusing to be sworn and examined by a precinct board concerning the right of another to vote. (Elec. C. 11702.)

Enforcement

It is the duty of the district attorney of the county in which any of the above described offenses have occurred to institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of such offenses when he has information that such offenses have been committed. (Gov. C. 26500, 26501.)

The grand jury of the county may inquire into all public offenses committed or triable therein, and present them to the court by indictment. (Pen. C. 915.)

Accordingly, should any person have knowledge of, or information about, an election offense committed within his county, he may present such information as he may have to the district attorney or to the grand jury, or to both, for further action pursuant to law.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the Oakland Chamber of Commerce goodwill trip:

William Park, Wm. Sparling, Raymond Pease, Jack Hassler, Lester J. Divine, Fred Squires, Don Marquis, C. N. Alexander, Roger Anderson, Karl Baessler, Wilbur E. Barges, Leo Baum, A. W. Brampton, Harry Bruno, Stanley A. Burgraff, Ray Burr, Benny Butler, Frank Butterworth, Robert Callaway, Colin Campbell, Phillip Champion, Roy A. Cowles, Harold Crew, Julian R. Davis, Milt Dohner, Robert Douglas, Milo Spaich, W. W. Stillman, James E. Stone, A. M. Stonehouse, Roy Thomas, E. B. Thompson, Lloyd Turner, Ken Ulyatt, Richard Walpole, Archie Waring, Fred Watson, Brown Zarley, Robert T. Neilson, Thomas S. Neilson, Ken Morris, Lloyd O'Connell, George Oakes, Willie Osburn, Edward Paniagua, Micky Parker, Fred Parr, William Peluso, Joseph Poirier, Alvin Rawitzer, Cliff H. Reeves, Orville Reiersgaard, Al Reitman, Lew Renner, Leon Riese, Ed Roseman, Ron Ross, Ralph Rugieri, Charles A. Russell, Howard A. Schirmer, Carl Scott, Wm. Sechser, Jim Selby, Allen Selmin, Jack Sexson, Mortimer Smith, Bernie Joseph, Ralph E. Junker, John Kaffun, James A. Kelley, Joe Kirby, Harold Knopp, James J. Kral, Jack A. Kronenberg, William A. Kruse, H. F. Latter, Ed Laudani, Earl Leonard, Frank Lloyd, Jack Y. Long, John MacDonald, Dr Grover MacLeod, Harold MacQuarrie, Doug Manuel, Ferd Marwedel, E. R. McKeag, A H. Middents, Leo Moody, James Moore, M. G. Moss, Henry Muller, George Nash, R. Peaslee DuMont, Hart Eastman, William Estep, Dalton B. Fender, Frank J. Fitzpatrick, A T. Floyd, Alex Gaeta, Joseph F. Gancos, Sterling Gardner, Raymond B. Giles, Sid Givens, Sam Goodman, Lester Grant, Jack Grounds, Richard Groves, Edward R. Haldan, Dr. P C. Hartman, William Henning, Bruce Howard, Gordon Huber, Lloyd B. Hughes, Fred Jacobson, Jack Jacoby, George Jacopetti, René Johe, Norman S. Jones, R E. Jones, and Clarence Jorgenson.

On request of Mr Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward M Gaffney and daughter Margaret Mary of San Francisco.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Robert H. Aarons of Pasadena.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. William R Molony, Jr., of Los Angeles.

ADJOURNMENT

At 2.14 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned out of respect to the memory of the late Walter Naughton until 10 a.m., Thursday, March 15, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 15, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

March 15, 1951

Almighty God, our Heavenly Father, whose mercies are without number and the treasure of whose goodness is infinite, we render grateful thanks for Thy many blessings.

Pour out Thy spirit upon our Nation so that the sense of true brotherhood may be quickened and we may do our full share in the establishment of a bond of fellowship among the nations of the world

Grant guidance to all who are in places of leadership in these days of crisis. Hasten the day when the kingdoms of this world shall become the Kingdoms of our Lord, the Prince of Peace.

"Eternal Ruler of the ceaseless round
Of circling planets singing on their way;
Guide of the nations from the night profound
Into the glory of the perfect day
Rule in our hearts, that we may ever be
Guided and strengthened and upheld by Thee."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Kelly.
Mr. Cooke, on motion of Mr. Kelly.
Mr. Lipscomb, on motion of Mr. Kelly.
Mr. Silliman, by unanimous consent.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that Sacramento Chapter No. 4 of the International Footprinters' Association is holding its Past Presidents' night dinner meeting on Thursday, March 22d, at the Elks Temple, 11th and J Streets, at 6.30 p.m.; that the price of the dinner is $2 50 per person; and, on behalf of the above mentioned organization, extended a cordial invitation to all Members of the Assembly to be present

Speaker Sam L. Collins announced that the office of the Legislative Counsel will be closed from 3 p.m., Friday, March 16th, until 8 a m. Monday, March 19th, for the purpose of moving into new quarters in the Capitol Annex; that said office will be open for business on Monday morning in the Capitol Annex; and that any legislative matters of urgency should be immediately referred to the office of the Legislative Counsel if his attention is needed.

Speaker Sam L. Collins announced that, beginning at 5.30 p.m tomorrow, Friday, March 16th, the United Airlines will again start operation of its Legislative Special DC-6 Mainliner, a 50-passenger plane, for the convenience of members of the legislative crowd desiring to fly to Los Angeles for the weekend. Those wishing reservations are urged to immediately contact the United Airlines.

Speaker Sam L. Collins announced that many committees are guilty of sending bills out of committee with a recommendation "amend, and re-refer to committee" and that sometimes a bill is amended and reprinted two or three times, and that he is strenuously opposed to this procedure because it costs the taxpayers money if bills are reprinted. He specifically stated that such procedure must stop and urged that, since all members seem to be in favor of an economy program, that an economy procedure should be adhered to as well as verbally sponsored; and urged all committee chairmen to review every possible amendment in their committees so that costly reprinting of amended bills may be minimized.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

THE RECLAMATION BOARD OF THE STATE OF CALIFORNIA
SACRAMENTO, CALIFORNIA, March 2, 1951

The Honorable Sam L. Collins
Speaker of the Assembly
The State Capitol, Sacramento, California

DEAR SIR: Chapter 103 of the Resolutions of 1949 (S. J. R. 21), directs the Reclamation Board of the State of California to keep a strict account of all expenditures made for the repair of the damages resulting to the flood control works of the

Sacramento River as a result of the closing of the outlet gates of Shasta Dam on May 14, 1948, by the Bureau of Reclamation.

Chapter 103 further directs the Reclamation Board to periodically address the Federal Bureau of Reclamation for reimbursement of the expenditures made by the State of California arising out of the situation, and requires the Reclamation Board to continually urge for such reimbursement, and to secure the assistance of the Governor, the Senators and Congressmen of the State of California in urging such claim.

Report was made to the Legislature on June 8, 1949, advising that the Reclamation Board had rendered the first invoice to the Bureau of Reclamation and outlining the progress made to that date.

On March 6, 1950, the U. S. Bureau of Reclamation was forwarded Reclamation Board Bill Collectible No. 1925, being Invoice No. 2, in the amount of $211,624.30, plus unpaid balance of Invoice No. 1 in the amount of $14,064.56, making a total bill in the amount of $225,688.86, and representing expenditures of the State, through its agent the Reclamation Board, to the close of the period January 31, 1950.

Under date of February 5, 1951, Invoice No. 3, being Bill Collectible No 1925 continued, was forwarded to the U. S. Bureau of Reclamation. This bill detailed an expenditure of $99,633.76 for the period February 1, 1950, through December 31, 1950, which, together with the totals of Invoices Nos 1 and 2, resulted in total expenditures through the close of the 1950 calendar year in the amount of $325,322 62.

To the present date, no official word has been received from the U. S. Bureau of Reclamation other than acknowledgment of the receipt of Invoice No. 1.

In March, 1950, representatives of the Attorney General and representatives of the Reclamation Board, were in Washington in connection with appropriations to the Sacramento River Flood Control Project. These representatives took up with the Congressmen from California, the question of methods and procedures necessary to secure reimbursement to the State Senators Downey and Knowland at our request, prepared bills on the Senate side, and Congressmen Scudder, Engle, and Johnson, prepared bills on the House side, providing that the United States District Court for the Northern District of California be empowered by the Congress to hear, determine, and render judgment upon the claims of the State of California against the United States for reimbursement of the amounts expended, and to be expended, in repairing the damage to levees and other flood control works of the Sacramento River as a result of the closing of the outlet gates of Shasta Dam by the Bureau of Reclamation in May, 1948. These bills failed to receive passage at that session of Congress.

Following the above action, the Reclamation Board contacted Senator Knowland, Senator Nixon, Mr. Scudder, Mr. Allen, Mr. Engle, and Mr Johnson, with the result that similar bills have been introduced in the Eighty-second Congress providing for the same action as contained in the bills introduced in the Eighty-first Congress. We are now awaiting word from these gentlemen as to action on said bills. The Reclamation Board and the Attorney General are prepared to make appropriate representation in the committee when advised so to do.

The Reclamation Board at this date estimates that the total expenditure of state funds required to complete the repair of damages, including that heretofore expended, will approximate $750,000. This sum is mainly for the acquisition of the necessary levee rights of way, flowage easements, and lands required, but also contains the revision of public utilities, county and farm roads, administrative salaries and expenses, appraisers' time, and pro-rata cost of operation of state automobiles necessary to the work.

There is attached to this report, a copy of the bill introduced by Senator Knowland for himself and Mr. Downey, in the Eighty-first Session of Congress. The language of the bills introduced in the Eighty-second Session is similar thereto There is also attached, a copy of Invoice No 3 of Bill Collectible No 1925 continued, as recently forwarded to the U. S Bureau of Reclamation.

Yours very truly,

THE RECLAMATION BOARD
A. M. BARTON
Chief Engineer and General Manager

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 836

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 248
Assembly Bill No. 182

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 592
Assembly Bill No. 594
Assembly Bill No. 1112
Assembly Bill No. 1916

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1035
Assembly Bill No. 1037
Assembly Bill No. 1038
Assembly Bill No. 1210
Assembly Bill No. 2412

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1036
Assembly Bill No. 1211
Assembly Bill No. 1214
Assembly Bill No. 1146

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 369
Assembly Bill No. 1216
Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Klocksiem:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 330 of the Penal Code, relating to gaming.

Respectfully submitted,

HERBERT R. KLOCKSIEM

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Klocksiem:

An act to amend Section 330 of the Penal Code, relating to gaming

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3377: By Mr. Klocksiem (At the request of Assemblymen Hahn, Lanterman, Moss, Munnell, and Shaw)—An act to amend Section 330 of the Penal Code, relating to gaming.

Referred to Committee on Boards and Commissions.

ANNOUNCEMENT

Speaker Sam L Collins announced that the Sergeant-at-Arms will place the bound copies of the Assembly Journals for the 1950 Third Extraordinary Session of the Legislature in the offices of the members rather than on their desks, as is customary.

MOTION THAT ASSEMBLY COMMEND THE LEGISLATIVE COUNSEL AND HIS STAFF

Mr. Lyon moved that the Members of the Assembly especially thank the Legislative Counsel, Ralph N. Kleps, and his staff for the fine job they did in preparing the Interim Subject List which has recently been

placed upon the desks of the members; and that particular commendation be extended to Miss Virginia Stephens who aided very materially in the preparation of this fine edition.

Mr. Clarke seconded the motion.

Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 166	Assembly Bill No. 1114
Assembly Bill No. 167	Assembly Bill No. 1693
Assembly Bill No. 168	Assembly Bill No. 1697
Assembly Bill No 816	Assembly Bill No 1988

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 169	Assembly Bill No. 1606
Assembly Bill No 2065	Assembly Bill No. 3184

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 797	Assembly Bill No. 1586
Assembly Bill No 380	Assembly Bill No. 1587
Assembly Bill No. 1004	Assembly Bill No 2088

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No 3126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 566	Assembly Bill No 2178
Assembly Bill No 2146	Assembly Bill No 2179
Assembly Bill No 2164	

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Fleury:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Respectfully submitted.

GORDON A. FLEURY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Fleury:

An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3378: By Mr. Fleury—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 87

Relative to memorializing the Congress of the United States regarding the Social Security Administration under the Federal Security Agency

WHEREAS, Employees making contributions under the old-age survivors insurance system of the Social Security Act are uncertain of their status and of the amounts contributed by their employers; and

WHEREAS, Persons applying for benefits have found, in some cases, that neglect in turning in funds on the part of some employers has made it difficult and at times impossible to straighten out their records so that they could establish their eligibility to obtain old age benefit payments under the Federal Social Security Law; and

WHEREAS, The intent and purpose of our Social Security Act will be more clearly expressed by advising the employee annually of his status thereunder; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby memorializes the Congress of the United States to investigate and consider the feasibility of taking action which will require the Social Security Administration under the Federal Security Agency to furnish employees making contributions for old-age survivors insurance with an annual statement of their status and of the amount paid into the fund by their employers, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 708—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Bill read second time, and ordered engrossed.

Assembly Bill No. 713—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 714—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names.

Bill read second time, and ordered engrossed.

Assembly Bill No. 715—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 717—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 719—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name.

Bill read second time, and ordered engrossed.

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader.

Bill read second time, and ordered engrossed.

Assembly Bill No. 726—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 728—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 456—An act to amend Sections 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 628—An act to amend Section 806 of the Fish and Game Code, relating to shellfish.

Bill read second time, and ordered engrossed.

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read second time, and ordered engrossed.

Assembly Bill No. 630—An act to amend Section 432.6 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 711—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "Section", strike out "6064", and insert "6065".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 722—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "Section", strike out "6064", and insert "6065".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 9, line 38, of the printed bill, strike out "superior".

Amendment No. 2

On page 16, lines 2 and 6, of the printed bill, strike out the leaders after "January", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 6, lines 33 and 37, of the printed bill, after "January", strike out the leaders and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1773—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103*l*, 103m, 103n, 103½, 103¾, 104, 107, 110, 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 5, lines 10 and 15, of the printed bill, after "January", strike out the leaders and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 30, lines 10 and 14, of the printed bill, after "January", strike out the leaders, and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600,

607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 70, lines 14 and 18, of the printed bill, strike out the leaders after "January", and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1940—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 6, line 47, of the printed bill, after "January", strike out the leaders, and insert "5".

Amendment No. 2

On page 7, line 5, of the printed bill, after "January", strike out the leaders, and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 331—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out "responsibility", and insert "solvency".

Amendment No. 2

On page 3, line 8, of said bill, strike out "responsibility", and insert "solvency".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 332—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "or any licensee is violating any provision of this act,".

Amendment No. 2

On page 1, line 8, of said bill, strike out "or licensee".

Amendment No. 3

On page 1, line 9, of said bill, strike out "or further violating said act".

Amendment No. 4

On page 1, lines 17 and 18, of said bill, strike out "or any licensee is violating any provision of this division,".

Amendment No. 5

On page 1, line 19, of said bill, strike out "or licensee".

Amendment No. 6

On page 1, line 20, of said bill, strike out "or further violating said division".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 333—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13 of the Escrow Act, and Sections", and insert "Sections 6 and 13 of the Escrow Act, and Sections 17207 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "and 17408".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out "payment of costs of investigations, inspections or examinations of", and insert "filing fees for".

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "any", and insert "such".

Amendment No. 5

On page 1, line 18, of said bill, after "licensee", insert "under this section"

Amendment No. 6

On page 1 of said bill, after line 22, insert

"SEC. 2. Section 6 of the Escrow Act is amended to read:

Sec. 6. The commissioner shall charge and collect the following fees:

(a) For filing an original or a renewal application for an escrow agent's license, [fifty dollars ($50)] *one hundred dollars ($100)* for the first office or location and [ten dollars ($10)] *thirty-five ($35)* for each additional office or location.

(b) For filing an application for a duplicate of an escrow agent's license lost, stolen, or destroyed, upon a satisfactory showing of such loss, theft, or destruction, ten dollars ($10).

All money received by the commissioner shall be paid by him into the State Treasury to the credit of the General Fund"

Amendment No. 7

On page 2, line 1, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 8

On page 2 of said bill, strike out lines 13 to 23, inclusive, and insert

"SEC. 4. Section 17207 of the Financial Code is amended to read:

17207. The commissioner shall charge and collect the following fees:

(a) For filing an original or a renewal application for an escrow agent's license, [fifty dollars ($50)] *one hundred dollars ($100)* for the first office or location and [ten dollars ($10)] *thirty-five dollars ($35)* for each additional office or location

(b) For filing an application for a duplicate of an escrow agent's license lost, stolen, or destroyed, upon a satisfactory showing of such loss, theft, or destruction, ten dollars ($10)."

Amendment No. 9

On page 2, line 24, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 242—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "to", insert "the".

Amendment No. 2

On page 1, line 4, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other".

Amendment No. 3

On page 1, line 6, of said bill, after "to", insert "the".

Amendment No. 4

On page 1, line 6, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other".

Amendment No. 5

On page 1, line 8, of said bill, after "or to", insert "the".

Amendment No. 6

On page 1, line 8, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other"

Amendment No. 7

On page 1, line 11, of said bill, after "for", insert "the".

Amendment No. 8

On page 1, line 11, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 806—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts and leases of livestock, animate chattels, mining equipment and machinery, and bailment or feeder agreements and rights and remedies in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 13 to 20, inclusive, and insert

"As used in this section the term "mining purposes" includes oil drilling purposes. Sections 2959a and 2965 of the Civil Code are hereby made applicable to the instruments required to be recorded by this section in the same manner as to mortgages of personal property, provided however, that the provisions of Section 2965 of the Civil Code shall not apply to any instrument covering any materials or equipment used in, or in connection with, the drilling or production or refining of crude oil or other hydrocarbon substances."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1178—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 17, of the printed bill, after "survived", insert "and as if said one-half were his separate property".

Amendment No. 2

On page 1, line 19, of said bill, after "survived", insert "and as if said other one-half were her separate property".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2136—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3, 4, and 5, of the printed bill, strike out "under Section 400 of the Vehicle Code or Section 1902 of the Harbors and Navigation Code".

Amendment No. 2

On page 1 of said bill, strike out all of line 6, and insert "covered by insurance."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1822—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1190.1 to", and insert "amend Section 1183.5 of".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1190.1 is added to the Civil Code," and insert "1183.5 of the Civil Code is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 15, inclusive, and insert

"1183.5.

1. Any officer of any component of the Army or Air Force of the United States on active duty in federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any Staff Judge Advocate or Acting Staff

Judge Advocate, and the Adjutant, Assistant Adjutant, Personnel Adjutant or commanding officer of any command;

2. Any commanding officer or executive officer of a ship, shore station or establishment and any officer of or above the rank of Lieutenant, Senior Grade, on active duty with the Navy or Coast Guard of the United States;

3. Any officer of or above the rank of Captain on active duty with the United States Marine Corps;

Shall have the power if a commissioned officer to administer and certify oaths or affirmations, attest documents, take acknowledgments, and perform all other notarial acts, for any person serving in or with the Armed Forces of the United States, wherever located within or without this State.

Any instrument acknowledged by any such officer or any oath or affirmation made before such officer shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment or of any jurat signed by him shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in a form authorized by the laws of this State or in the following form:

On this the _____ day of _____, 19___, before me, _____, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be serving in or with the Armed Forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that __he__ executed the same. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the Armed Forces of the United States.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

To any affidavit subscribed and sworn to before such officer there shall be attached a jurat substantially in the following form:

Subscribed and sworn to before me on this _____ day of _____, 19___.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

The recitals contained in any such certificate or jurat shall be prima facie evidence of the truth thereof, and any certificate of acknowledgment, oath or affirmation purporting to have been made by any commissioned officer of the Army, Air Force, Navy, Marine Corps or Coast Guard shall, notwithstanding the omission of any specific recitals therein, constitute presumptive evidence of the existence of the facts necessary to authorize such acknowledgment, oath or affirmation to be taken by the certifying officer pursuant to this section.

[This section shall remain in effect until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature.] While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section, but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1824—An act to amend Section 2924c of the Civil Code, relating to mortgages and deeds of trust.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2924c", and insert "Sections 2924c and 2924b".

Amendment No. 2

On page 2 of said bill, after line 11, insert

"SEC. 2. Section 2924b of the Civil Code is amended to read:

2924b. Any person desiring a copy of any notice of default and of any notice of sale under any deed of trust or mortgage with power of sale upon real property, as to which deed of trust or mortgage the power of sale cannot be exercised until such notices

are given for the time and in the manner provided in section 2924 may, at any time subsequent to recordation or registration of such deed of trust or mortgage and prior to recordation of notice of default thereunder, cause to be filed for record in the office of the recorder of any county in which any part or parcel of the real property is situated, *a duly acknowledged request for a copy of any such notice of default and of sale* This request shall set forth the name and address of the person requesting copies of such notices, shall identify the deed of trust or mortgage by stating the names of the parties thereto, the date of recordation or registration thereof and the book and page where the same is recorded or the recorder's or registrar's serial number and shall be in substantially the following form:

"In accordance with section 2924b, Civil Code, request is hereby made that a copy of any notice of default and a copy of any notice of sale under the deed of trust (or mortgage) recorded _____, 19____ in Book _____ page _____ records of _____ County, (or filed for record with recorder's serial number _____, or registered under registrar's number _____ County) California, executed by _____ as trustor (or mortgagor) in which _____, is named as beneficiary (or mortgagee) and _____ as trustee be mailed to _____ at _____.

Name Address

Signature_____"

Immediately upon the filing for record of such request, the recorder shall enter upon the margin of the record of the deed of trust or mortgage therein referred to a reference to the place where such request is recorded, which reference shall be substantially in the following form:

"Request recorded in Book _____ page _____ of _____ for copy of notice of default and sale."

The mortgagee, trustee or other person authorized to record the notice of default, shall within ten days following recordation of such notice of default deposit or cause to be deposited in the United States mail an envelope, registered and with postage prepaid, containing a copy of such notice with the recording date shown thereon, addressed to each person whose name and address are set forth in a duly recorded request therefor, and a reference to which request has, prior to recordation of said notice of default, been entered on the margin of the record of the deed of trust or mortgage, directed to the address designated in said request, and at least twenty days before date of sale the mortgagee, trustee or other person authorized to make the sale shall deposit or cause to be deposited in the United States mail an envelope, registered and with postage prepaid, containing a copy of the notice of the time and place of sale, addressed to each person whose name and address are set forth in a request therefor recorded, within the time herein provided, a reference to which request has been entered upon the record as above provided at the address set forth in such request.

Any deed of trust or mortgage with power of sale hereafter executed upon real property may contain a request that a copy of any notice of default and a copy of any notice of sale thereunder shall be mailed to any person a party thereto at the address of such person given therein, and a copy of any notice of default and of any notice of sale shall be mailed to each such person at the same time and in the same manner required as though a separate request therefor had been filed by each of such persons as herein authorized. If, in any deed of trust or mortgage with power of sale hereafter executed, except a deed of trust or mortgage of any of the classes excepted from the provisions of section 2924, no address of the trustor or mortgagor is therein set forth and if no request for notice by such trustor or mortgagor has been recorded as herein provided, a copy of the notice of default shall be published once a week for at least four weeks in a newspaper of general circulation in the county in which the property is situated, such publication to commence within 10 days after the filing of the notice of default. In lieu of such publication a copy of the notice of default may be delivered personally to the trustor or mortgagor within such 10 days or at any time before publication is completed.

A recital in the deed executed pursuant to the power of sale of compliance with all requirements of law regarding the mailing of copies of notices for which requests have been recorded *or the publication of a copy of the notice of default or of personal delivery of the copy of the notice of default* shall constitute prima facie evidence of compliance therewith and conclusive evidence thereof in favor of bona fide purchasers and encumbrancers for value and without notice.

No request for copy of any notice filed for record pursuant to this section nor any statement or allegation in any such request nor any record thereof shall affect the title to real property or be deemed notice to any person that any person requesting copies of notice has or claims any right, title or interest in, or lien or charge upon the property described in the deed of trust or mortgage referred to therein."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Speaker Pro Tempore Presiding

At 10.27 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1158—An act to add Section 269b to the Code of Civil Procedure, relating to official reporters of the Superior Court in and for the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 269b to", and insert "amend Section 261g of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive, and insert

"SECTION 1. Section 261g of the Code of Civil Procedure is amended to read:

261g. In each county, or city and county, having a population of more than seventy-four thousand and less than one hundred thousand inhabitants, *as determined by the Federal Census taken in 1940*, the judges of the superior court in and for such county, or city and county, a majority thereof concurring therein, to assist the court in the transaction of the judicial business of said court, may appoint the following employees:

Phonographic Reporters The judges of the superior court, a majority concurring, may appoint as many regular official phonographic reporters as necessary to report the proceedings in said court, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring. The duties of such official reporters shall be performed as elsewhere defined in this code. Each of said reporters shall receive as full compensation for taking notes in criminal cases in the superior court a monthly salary of five hundred dollars ($500). All other fees of such reporters shall be as elsewhere defined or prescribed in this code. In cases where it is necessary that a pro tem reporter be appointed, such reporter shall be allowed the fees as prescribed elsewhere in this code."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2423—An act to amend Sections 714.5, 717, 717.5, 867, and 868 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out ", barracuda, and white sea bass".

Amendment No. 2

On page 2, line 15, of said bill, strike out "yellow-tail,".

Amendment No. 3

On page 2, line 15, of said bill, after "barracuda", strike out the comma.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game

ANNOUNCEMENT

Speaker pro Tempore Maloney expressed appreciation, on behalf of the Members of the Assembly, to Senator and Mrs. Arthur W. Way, and to Senator and Mrs. Fred Weybret who assisted them, for their generous dinner hospitality of last evening.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 31—Approving the charter of the City of Modesto, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of February, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of March, 1951, at 10 a m

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2146

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2146, out of order, as he must attend a committee meeting, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2146

Assembly Bill No. 2146—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2164

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2164, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2164

Assembly Bill No. 2164—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2178

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2178, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2178

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2179

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2179, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2179

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 32—Relative to approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the eleventh day of April, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 10 25 a m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Legislative Committee on Community Redevelopment and Housing Problems with Particular Reference to Legislation Supplementary to Federal Legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.38 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 456	Assembly Bill No. 717
Assembly Bill No. 628	Assembly Bill No. 718
Assembly Bill No. 629	Assembly Bill No. 719
Assembly Bill No 630	Assembly Bill No. 720
Assembly Bill No. 708	Assembly Bill No. 726
Assembly Bill No. 713	Assembly Bill No. 727
Assembly Bill No 714	Assembly Bill No. 728
Assembly Bill No. 715	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 250
Assembly Bill No. 347
Assembly Bill No 348
Assembly Bill No. 888
Assembly Bill No. 898
Assembly Bill No. 1887
Assembly Bill No 1957

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 888 re-referred to the Committee on Military Affairs.

Assembly Bill No. 250 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 347 re-referred to the Committee on Finance and Insurance

Assembly Bill No. 348 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 898 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1887 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1957 re-referred to the Committee on Finance and Insurance

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 33: By Messrs. Lyon, Maloney, and Sam L. Collins—Relative to the illness of His Excellency, Honorable Earl Warren, Governor of the State of California, and his daughters, Nina and Dorothy.

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 33, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 33

Assembly Concurrent Resolution No. 33—Relative to the illnesses of His Excellency, Honorable Earl Warren, Governor of the State of California and his daughters, Nina and Dorothy.

Resolution read.

Motion That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 33 as Co-authors

Mr. Doyle moved that the names of all members present be placed upon Assembly Concurrent Resolution No. 33 as co-authors.

Mr. Lyon seconded the motion.

Motion carried unanimously.

The roll was called, and the following members responded when their names were called as desiring to be co-authors of Assembly Concurrent Resolution No. 33:

Lyon, Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

Further Consideration of Assembly Concurrent Resolution No. 33

Assembly Concurrent Resolution No. 33: By Messrs. Lyon, Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the illnesses of His Excellency, Honorable Earl Warren, Governor of the State of California, and his daughters, Nina and Dorothy.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that at 11 a.m. tomorrow, Friday, March 16th, the Saint Patrick's Day Celebration will be held in the Assembly Chamber, and urged all members to bring their families as guests.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 20: By Mr. Luckel—Relative to the use of federal gasoline tax money.

Referred to Committee on Rules.

Assembly Joint Resolution No. 21: By Mr. Kelly—Relative to opposing an increase in the federal gasoline tax.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Ways and Means. Subject: Assembly Bill No. 28, in Room 435.

At 2.30 p.m.—

Subcommittee of Public Utilities and Corporations Subject: Senate Bill No. 327, in Room 426.

At 3 p.m.—

Transportation and Commerce, in Room 432

At 8 p.m.—

Civil Service and State Personnel, in Room 426

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Belotti and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R. P. Brown of Eureka, Mrs. R. C. West of Petrolia, and Misses Kathleen Price, Irene Daup, France Duke, and Hazel Kellems of Los Angeles.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the California Manufacturers Association: Wm. B Tyler, T. T. Arden, Dr. Robert K. Cutter, Wm. A. DeRidder, Harry S. Baker, F. O. Fernstrom, Ralph M. Hoffman, Edgar B. Jessup, Ivan L. Johnson, Lloyd A. Johnson, John Parker, Lee D. Pratt, A. N. Skinner, George S Wheaton, and A. P. Heiner.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Karl Shattuck, Mrs. Henry Diel, Mr. and Mrs. Henry Karrer, Mr. and Mrs C. Sam Johnson, John Ventura, Jr., and John McAlister of Fresno.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Chas. W. TeWinkle and A. C. Swartz of Costa Mesa.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to James M. Alexander, teacher, and the following pupils of the Elder Creek School of

Sacramento: Erma Bailey, Tommy Ball, Darlene Benefield, William Biggs, Irving Brown, Gene Carlson, Joe Cervantes, Lois Cox, Hazel Davis, Donald Dickson, James Foster, Don France, Robert Ingstrom, Bill Keller, Billy Muncy, Pricilla LaFebre, Jeannie Perry, Richard Parra, Jerry Ring, Hubert Tice, Charles Wells, Charles West, Robert Welsh, Harley Wick, and James Bowden.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pat Davis and Marvin L. Anderson, teachers, and the following pupils of the Hopland High School: Joan Aldrich, Louise Aldrich, Betty Sullivan, Richard Williams, Elaine LaMastus, Marilyn Hardy, Kenneth Whittaker, Lillian Proctor, Nancy Tappin, George Feliz, Virginia James, and Betty Frazier, and Mr. and Mrs. Austin, guests.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to H E. Newbold and Mr. Carlson, advisors, and the following pupils of the Gustine Union High School: Barbara Garver, Karen Olesen, Ellen Hanifin, Doris Rainero, Gretchen Klehn, Mary Freitas, Virginia Ferreira, Elleanor Gomes, Lucy Gomes, Marilyn Pfitzer, Marnell Morton, Lee Cohen, Joann Morton, Jean Donaldson, Lois Davidson, Eugene Fasano, Joyce Carlson, Dolores Cary, Laurie Guaglianone, Vera Looney, Nadine Brewer, Rosemarie Fasano, Evelyn Jacques, Margaret Barboza, Walter Plumb, Celeste Mendonca, Dolores Sylvia, Donna Larson, Dorothy Darnell, Sue McClocklin, Patty Borelli, Harold Watkins, Janet Silva, Rosemary Wuestewauld, Joseph Martinho, Claude Randall, Charlotte Mendonca, Frances Pacheco, Kandy Shepherd, Betty McPherson, Gloria Bettencourt, Betty Bizzini, Billy Bizzini, Mary Ruth Bloyed, Jimmy Brown, Ann Bunker, Nancy Bunker, Phyllis Day, LeRoy Guaglianone, Jean Harrington, Henry Klehn, Gertie Mello, Benny Mendonca, Mary Ann Newbold, David Perry, Donna Roof, Betty Ryder, Sandra Souza, Eugene Vierra, Alice Beckstead, LaMara Brewer, Henritta Huffman, Donald Dellepiane, and Jack Lopes.

ADJOURNMENT

At 10.57 a.m., on motion of Mr. Dunn, Speaker pro Tempore Maloney declared the Assembly adjourned until 9.30 a.m., Friday, March 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 16, 1951

The Assembly met at 9.30 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

Names Placed Upon Morning Roll Call by Unanimous Consent

Speaker Sam L. Collins announced that Messrs. Dolwig, Rosenthal, Belotti, and Smith are presently attending a meeting of the Committee on Legislative Representatives. Their names were ordered placed upon the morning roll call, by unanimous consent.

PRAYER

Upon request of Speaker Sam L. Collins, the following prayer was offered by Assemblyman Ernest R. Geddes of the Forty-ninth District:

Our Father. Let us be assembled in Thy holy name. On this day particularly, when we shall pause in our labors to celebrate the day dedicated to one revered in history and legend, let us remember that what made him great is that he was Thy servant.

Thus may we be impressed, as we look to Thee for precept and example, that our highest duty is service.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hansen, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Coats.

Mr. Butters, on motion of Mr. Coats.

Mr. Lipscomb, on motion of Mr. Coats.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. McMillan, on motion of Mr. Condon.

Mr. Silliman, on motion of Mr. Kirkwood.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that if members have business to attend to out of the city it will be well to attend to it either this weekend, or next weekend, as, in all probability, sessions will be held on weekends in the very near future.

Speaker Sam L. Collins again announced the departure tonight, at 5.30 p.m., of the Friday night legislative special plane to Los Angeles, which is being provided by the United Airlines for the convenience of the Members of the Legislature.

Speaker Sam L. Collins again announced that the Office of the Legislative Counsel will be closed over the weekend for the purpose of moving their office and staff into the new annex.

Mr. Sherwin announced that guide books on pending legislative bills, which contain either direct or implied appropriations, have been prepared by the Joint Legislative Budget Committee, and have been placed upon the desks of all members for their continued use.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1844

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman.

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 831
Assembly Bill No. 1541

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 13

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 13—Relative to proposed discriminatory and excessive increases in the federal tax on wine.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 50: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Article XIX thereof, relating to Chinese.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 125	Assembly Bill No. 130
Assembly Bill No. 126	Assembly Bill No. 259
Assembly Bill No. 128	Assembly Bill No. 390

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 127
Assembly Bill No. 129
Assembly Bill No. 131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 711
Assembly Bill No. 722

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 592—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Bill read second time, and ordered engrossed

Assembly Bill No. 594—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1112—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1916—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 166—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 167—An act to amend Sections 14702 and 14722 of the Education Code, relating to district retirement salary plans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 168—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 816—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1114—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1693—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1988—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9616, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; and to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1036—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1211—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1214—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1146—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods.

Bill read second time, and ordered engrossed

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections 12.1, 12.2, 13 1, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, after "15," insert "*17*,".

Amendment No. 2

In line 6 of the title of said bill, after "13 1," insert "*16*,".

Amendment No. 3

On page 1, line 5, of said bill, after "county", insert ",".

Amendment No. 4

On page 3, line 50, of said bill, after "as", insert "*so*".

Amendment No. 5

On page 4, line 34, of said bill, after "of", insert "*the*".

Amendment No. 6

On page 5, line 46, of said bill, after "the", strike out "first".

Amendment No. 7

On page 6, line 21, of said bill, after "of the", insert "*direct*".

Amendment No. 8

On page 6, line 22, of said bill, after "General", insert "*Municipal*".

Amendment No. 9

On page 6, line 25, of said bill, after "Special", insert "*Municipal*"

Amendment No. 10

On page 6, line 46, of said bill, after "district", insert a comma.

Amendment No. 11

On page 7, line 37, of said bill, after "elections", insert ", *except as in this act otherwise provided*".

Amendment No. 12

On page 7, line 47, of said bill, after "of the", strike out "divisions", and insert "*division*".

Amendment No. 13

On page 11, line 17, of said bill, after "levied", insert a comma

Amendment No. 14

On page 11, line 18, of said bill, after "provided", insert a comma.

Amendment No. 15

On page 11, line 19, of said bill, after "district", insert a comma.

Amendment No. 16

On page 12, lines 12 and 13, of said bill, strike out "other public agencies or with one or more", and insert "*public agencies,*".

Amendment No. 17

On page 15, line 47, of said bill, after "the", strike out "premium", and insert "*premiums*".

Amendment No. 18

On page 15, line 47, of said bill, after "such", strike out "bond", and insert "*bonds*".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 19

On page 16 of said bill, strike out lines 1 to 7, inclusive, and insert

"*SEC. 17. Section 15 of said act is amended to read.*

Sec. 15. Whenever the board of directors deems it necessary for the district to incur a bonded indebtedness, [it] *the board* shall, by resolution, so declare and state [the proposition to be submitted to the electors,] the purpose for which the proposed debt is to be incurred, the amount of debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed forty years, [and] the maximum rate of interest to be paid, which shall not exceed five percent per annum[.] , *and the measure to be submitted to the voters.* The board of directors shall fix a date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred. It shall be the duty of the board of directors to provide for holding such special election on the day[s] so fixed and in accordance with the [general election laws of the State] *provisions of the Elections Code* so far as the same shall be applicable, except as herein otherwise provided. Such board of directors shall give notice of the holding of such election, which notice shall contain the *text of the* resolution adopted by the board of directors of the [water] district, [boundaries] *the designation* of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct *In case such election is consolidated with a state or county election, the precincts, polling places, and election officers shall be the same as provided for such state or county election, and it shall be sufficient if the resolution and notice so state.* Such notice shall be published *once each week* for two weeks, *the last publication to be made not less than two weeks nor more than four weeks prior to the date of the proposed election,* in at least one newspaper, and not more than three newspapers, published in such [water] district, which newspaper or newspapers shall be designated by the board of directors[;] . [and if] *If* there is no newspaper [printed] *published* in such [water] district, then [by posting] such notice *shall be posted* in three public places [therein,] *in such district not less than two weeks nor more than four weeks prior to the date of the proposed election.* All the expenses of holding such election shall be borne by the district The returns of such election shall be made, the votes canvassed by said board of directors [on the first Monday] *within seven days* following said election, and the results thereof ascertained and declared in accordance with the [general laws of the State] *provisions of the Elections Code,* so far as they may be applicable, except as [herein] *in this act* otherwise provided The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted. [In all respects not otherwise provided for herein said election shall be called, managed and directed as is by law provided for general elections in this state applicable thereto, except as herein otherwise provided]

Any action or proceeding, wherein the validity of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise said bonds and all proceedings in relation thereto shall be held to be valid and in every respect legal and incontestable

SEC. 17a. Section 16 is added to said act, to read:

Sec. 16. As an alternative to the method of incurring bonded indebtedness authorized by Section 15 of this act, any district organized hereunder is authorized to incur a bonded indebtedness pursuant to the following subdivisions:

(1) *Whenever the board of directors deems it necessary for the district to incur a bonded indebtedness which in the opinion of the board will not benefit the whole of the district, the board shall, by resolution adopted by the affirmative vote of at least four directors, so declare and state*".

Amendment No. 20

On page 17, line 15, of said bill, strike out "benefitted", and insert "benefited".

Amendment No. 21

On page 17, line 42, of said bill, after "resolution", insert "*and notice*".

Amendment No. 22

On page 18, line 3, of said bill, after "shall be", insert "*so*"

Amendment No. 23

On page 18 of said bill, between lines 26 and 27, insert

"*SEC. 17b. Section 17 of said act is amended to read:*

Sec. 17. If from such returns it appears that more than two-thirds of the votes cast at such election *held pursuant to the provisions of Section 15 or of Section 16 of this act*, were in favor of and assented to the incurring of such indebtedness, then the board of directors may, by resolution, at such time or times as it deems proper, provide for the form and execution of such bonds and for issuance of any part thereof, and may sell or dispose of the bonds so issued at such times or in such manner, either for cash in lawful money of the United States or its equivalent, as it may deem to be to the public interest."

Amendment No. 24

On page 20, line 17, of said bill, after "will", insert "*result in revenues which will*".

Amendment No. 25

On page 20, line 30, of said bill, after "or", insert "*of*".

Amendment No. 26

On page 20, line 52, of said bill, after "fact", strike out the comma, and insert a semicolon.

Amendment No. 27

On page 23, line 49, of said bill, strike out "indentification", and insert "*identification*".

Amendment No. 28

On page 26, line 25, of said bill, strike out "municipal".

Amendment No. 29

On page 26, line 31, of said bill, strike out "water".

Amendment No. 30

On page 27, line 1, of said bill, after "upon", insert a comma, and after "from", insert a comma.

Amendment No. 31

On page 38 of said bill, strike out line 34.

Amendment No. 32

On page 38, line 35, of said bill, strike out "41", and insert "*40*".

Amendment No. 33

On page 38, line 42, of said bill, strike out "district", and insert "*districts*".

Amendment No. 34

On page 38, line 50, of said bill, strike out "42", and insert "*41*".

Amendment No. 35

On page 39, line 4, of said bill, strike out "43", and insert "*42*".

Amendment No. 36

On page 39, line 24, of said bill, strike out "44", and insert "*43*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 169—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "the districts", and insert "any of the districts under the same governing board".

Amendment No. 2

On page 1, line 10, of said bill, strike out "district", and insert "districts".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2065—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Section 6301 5 to, the Education Code, relating to school district budgets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 6301.5", and insert "Sections 6301.5 and 6301.6".

Amendment No. 2

On page 1, line 4, of said bill, after "shall", insert ", except as otherwise provided herein,".

Amendment No. 3

On page 1, line 6, of said bill, strike out "showing", and insert a period and

"On or before the first day of July in each year, the governing board of each district included in a group of two or more districts having a total average daily attendance of 100,000 or more and governed by boards of identical personnel, shall prepare a tentative budget.

The tentative budget shall show".

Amendment No. 4

On page 2, line 20, of said bill, after "district", insert "required to prepare a tentative budget on or before the first day of April".

Amendment No. 5

On page 2 of said bill, between lines 40 and 41, insert

"SEC. 2.1 Section 6301 6 is added to said code, to read:

6301.6. The governing board of a school district which is required to prepare a tentative budget on or before the first day of July shall file the tentative budget with the county superintendent of schools not later than the said first day of July."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after "years", insert "subject to the approval of the Director of Education".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after "its", insert "exclusive".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "public".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1035—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths, and marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 4 of the title of the printed bill, after "10100," insert "10111,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 5 of said bill, after line 51, insert

"SEC. 26. Section 10111 of the Health and Safety Code is amended to read:

10111. Each local registrar shall transmit to the State Registrar each original birth certificate or death certificate registered by him [and retain a complete and accurate copy of each certificate for the local record of the registration district]"

Amendment No. 3

On page 5, line 27, of said bill, strike out the first "the".

Amendment No. 4

On page 3 of said bill, after line 49, insert

"Provided, however, that when objection is made by either parent to the inclusion of medical and health items relating to the physical condition of the child because of conflict with religion, no such items shall be included"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1037—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "He shall transmit each week", and insert "On or before the fifth day of each month he shall transmit".

Amendment No. 2

On page 2, line 6, of said bill, strike out "week", and insert "month. Such transmittal may be made at more frequent intervals by arrangement with the State Registrar."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1038—An act to repeal Section 7413, to amend Section 7405, and to add Section 7413 to the Health and Safety Code, relating to burial permits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the first line of the title of the printed bill, strike out the comma following "7413", and insert "and"; strike out the comma following "7405"; and strike out "and to".

Amendment No. 2

In the second line of the title of said bill, strike out "add Section 7413 to", and insert "of".

Amendment No. 3

On page 1, line 13, of said bill, strike out "body has", and insert "human remains have".

Amendment No. 4

On page 1, line 15, of said bill, strike out "it was a body", and insert "human remains were".

Amendment No. 5

On page 1 of said bill, strike out line 21 and all of the bill following thereafter.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1210—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 15, of the printed bill, following "may," strike out "in its discretion", and insert "for cause".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2412—An act to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 28230 of", and insert "add Section 28231 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 28231 is added to the Health and Safety Code, to read:

28231 The provisions of Section 28230 do not apply to hearth baked loaves of bread or rolls which are kept in show cases and are protected from flies, dust, and dirt and are not accessible to the public."

Amendments read, and adopted.

Bill ordered reprinted, engrossed.

Assembly Bill No. 248—An act to add Section 13.7 to the Construction and Employment Act, relating to allocations to counties for repair, restoration or repair and restoration of public works, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on January 19, 1951, strike out "add Section 13.7 to the Construction and Employment Act", and insert "amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "allocations to counties for repair, restoration or".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out "public works, making an appropriation," and insert "property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.".

Amendment No. 4

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. Out of any moneys unappropriated in the Postwar Unemployment and Construction Fund in the State Treasury the sum of one million five hundred thousand dollars ($1,500,000) is hereby appropriated to the Emergency Fund specified in Item 277 of the Budget Act of 1950, to be expended by the Department of Public Works acting through the agency of the State Engineer (1) during the 1950-1951 Fiscal Year beginning July 1, 1950, and ending June 30, 1951, the 1951-52 Fiscal Year beginning July 1, 1951, and ending June 30, 1952, and the 1952-53 Fiscal Year beginning July 1, 1952, and ending June 30, 1953, (2) for the cost of repair or restoration, or both, of levees, flood control works, channels, irrigation works, city and county roads and bridges and other property damaged or destroyed by storm and flood or flood conditions, *or by the effect of necessary use of such works, roads, bridges, or other property while in a weakened condition caused by such storm and flood or flood conditions*, subsequent to October 1, 1950, and for which no appropriation or insufficient appropriation, has otherwise been made by law, (3) subject to each and all of the following (in addition to other) conditions, restrictions and limitations:

None of the moneys hereby appropriated shall be expended, allotted or encumbered, or become available for expenditure, for a work of repair, or restoration, except for the making of investigations, estimates or reports hereunder by said department unless and until:

(a) Such expenditure and purpose is first approved by the Director of Finance.

(b) The department has first investigated and reported upon the proposed work, has found it to be a matter of general public and state interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance.

(c) Moneys equal to or in excess of the amount expendable from this appropriation for said work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the Executive Department of the State Government) for expenditure by the department for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from public sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government *Money allocated or assigned to a political subdivision, public district, municipality, county or public agency pursuant to the provisions of the Construction and Employment Act or any other law shall not be considered to be funds from the State Treasury or funds of any agency which is a part of the executive department of the State Government and may be used for matching purposes under this act notwithstanding provisions of the Construction and Employment Act or such other law.*

The department may perform all or any portion of said work directly by contract or force account or the department and any entity herein authorized to match the appropriation herein made may enter into a contract whereby all or any portion of such work may be performed by any party to such contract *Such contracts may include reimbursement for the cost of work already performed by such entity or the acceptance of such cost in lieu of matching funds, where it was necessary that such work be performed prior to the fulfillment of the requirements of this section, either because of the urgent character of such work, the unavailability of matching funds, or failure of the work to meet the requirements then in effect.*

Not more than 20 percent of the money appropriated by this act shall be expended in any one county.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Recent occurrences of storms and floods have caused extensive damage to levees, flood control works, channels, irrigation works, city and county roads and bridges and other property.

While funds have been appropriated for the repair and restoration of the damaged property, it has been ruled that such funds may not be used to repair damage resulting from the necessary use of such property while in a weakened condition caused by such floods; nor has adequate relief been afforded to counties or other political entities that had to undertake repairs before prior approval and investigation by State departments either because of the urgent need for the repairs, the unavailability of matching funds, or the failure of the work to meet the requirements then in effect. Inasmuch as the

repair of such flood damaged property must be performed at once and the reimbursement of the counties and public entities be made at once in order to provide money for further repairs and other essential services, it is necessary in the interest of public health and safety that this act take effect immediately."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 20, inclusive, and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 182—An act to provide for the preparation, issuance and sale of state bonds to create a fund to provide for the purchase of revenue bonds issued by counties, cities, districts, municipal corporations, political subdivisions, public corporations, or other public agencies of the State to finance the acquisition and construction of, public improvements of such agencies, or combination of such agencies; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act providing for the issuance and sale of state bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, or any combination of such public agencies, for public improvements; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest on such state bonds as such interest falls due, and also for the payment and discharge of the principal of such state bonds as such principal matures; and appropriating money for the payment of principal and interest of the bonds authorized hereby and for the payment of expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"*Article 1.*

Short Title and Definitions.

SECTION 1. This act may be cited as the Public Agencies Improvement Bond Act of 1951.

SEC. 2. As used in this act:

(a) "Public agency" means a county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local.

(b) "Commission" means the commission created by Section 4 of this act.

(c) "Fund" means the fund created by Section 5 of this act

(d) "Public improvement" means any public work, undertaking or improvement, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public work, undertaking or improvement, and shall include maintenance, repair and operation of any such public work, undertaking or improvement.

Article 2

Authorization and Purposes of Bonds.

SEC. 3. The issuance and sale of bonds of the State of California, and the creation of an indebtedness, or indebtedness, liability or liabilities, of the State of California, not exceeding in the aggregate the sum of one billion dollars ($1,000,000,000) is hereby authorized, and the proceeds of said bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for public improvements.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

The said sum shall be a limitation upon the aggregate amount of all bonds which may be issued hereunder, and not merely upon the amount which may be outstanding at any one time.

Article 3.

Creation of Commission and Fund

SEC. 4. There is hereby created a State Public Agencies Improvement Finance Commission composed of the Governor, State Controller, Attorney General, Superintendent of Banks, Director of Finance, State Treasurer, and Director of Public Works, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said commission. Two Members of the Senate appointed by the Senate Committee on Rules and two Members of the Assembly appointed by the Speaker, shall meet and advise with the commission to the extent that such advisory participation is not incompatible with their respective positions as Members of the Legislature. The Director of Finance shall provide such assistance to the State Public Agencies Improvement Finance Commission as it may require. The Attorney General of the State shall be the legal adviser of the commission.

SEC. 5. There is hereby created in the State Treasury a fund to be known as the Public Agencies Loan Fund.

Article 4.

Appropriation for Expenses.

SEC. 6. Out of any money in the General Fund not otherwise appropriated, the sum of _____ dollars ($_____) is hereby appropriated to the State Treasurer, without regard to fiscal years, to pay the expenses incurred by the State Treasurer in preparing the bonds of the first issue of the bonds authorized by this act, and in advertising for the sale thereof, or in any manner in connection therewith, and out of any money in the General Fund not otherwise appropriated, the sum of _____ ($_____) is hereby appropriated to the commission, without regard to fiscal years, to pay the expenses incurred by the commission in the administration of the fund. When any bonds of the first issue authorized by this act have been sold, out of money received from the sale of such bonds, there shall be deposited in the General Fund to the credit of the appropriations made by this section such amount as the State Treasurer has expended for the said purposes, and as the said commission has expended for the said purposes. Upon the deposit of such amounts to the credit of such appropriations, respectively, such appropriations shall revert to the unappropriated surplus in the General Fund. Upon the reversion of the General Fund appropriations made by this section, respectively, as herein provided, all expenses subsequently incurred by the State Treasurer in preparing, advertising for sale, or advertising the redemption prior to maturity of any bonds authorized by this act, and all expenses subsequently incurred by the commission in the administration of the fund, shall be payable out of the fund.

Article 5.

Amounts, Maturities and other terms of Bonds.

SEC. 7. The commission shall determine the necessity or desirability of issuing any bonds authorized under this act in order to purchase bonds issued by any public agency or agencies to finance public improvements, and the amount of bonds then to be issued and sold. Successive issues of bonds may be authorized and sold to make such purchases progressively and shall be designated by an appropriate number or other designation. It shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

SEC. 8. Whenever the commission shall have determined that the sale of all or any part of the bonds authorized to be issued under this act is necessary or desirable to purchase bonds issued by any public agency or agencies to finance public improvements, it shall adopt a resolution to that effect. The said resolution shall authorize and direct the State Treasurer to provide for the preparation of the requisite number of suitable bonds then authorized to be sold and shall specify as to such bonds then to be sold:

1. The aggregate number, aggregate par value, denominations and the date of the bonds to be then sold. Such denominations shall be in the sum of one thousand dollars ($1,000.00), or multiples thereof.

2. The dates of maturity, and the amount and numerical sequence of the bonds maturing at each date of maturity, which amounts need not be equal, but which dates shall be at annual or semiannual intervals, and the first of which dates of maturity shall be not less than five years, and the last of which dates of maturity shall be not more than 45 years, after the date of said bonds.

3. The provisions for the redemption of said bonds at any time or times prior to their maturity, the manner of the call thereof, and the price or prices at which said bonds shall be subject to redemption.

4. The maximum annual rate, or rates, of interest which the bonds to be issued shall bear, which shall be in multiples of one-fourth of 1 percent, and which rate, or rates, shall not exceed five percent per annum, payable semiannually.

5. The number, numerical sequence and due dates of the interest coupons to be attached to said bonds.

6. The technical form and language of said bonds and of the interest coupons to be attached thereto.

7. Whether or not the right is reserved to make delivery in the form of temporary or interim bonds, certificates or receipts, exchangeable for definitive bonds when executed and available for delivery, and if such right is reserved the denominations and form of such temporary securities.

8. Whether or not the bonds are to be subject to registration, and if so, whether such registration is to be as to principal only, or as to both principal and interest, or in either of said forms at the option of the holder, and the form and all of the terms and conditions of such registration. If such registration is provided for, all of the provisions of this act with reference to the payment of bonds and interest coupons shall be subject to the terms and conditions of such registration with respect to the payment of registered bonds and the interest thereon

9. All other terms and conditions of the bonds and of the execution, issuance and sale thereof, which shall be consistent with all of the provisions of this act.

10. The date and hour fixed for the sale of the bonds, but such date may be changed by the Governor, in his discretion, by his directions given to the State Treasurer under Section 20 of this act.

SEC. 9. In determining the dates of maturity of the said state bonds, and the amount thereof to mature at each date of maturity, the commission shall be guided, so far as it may deem to be practicable, by the estimated amounts and dates of maturity of, and interest payments on, the bonds of public agencies expected to be purchased, and the expected amount and time of the receipt of the proceeds of the resale thereof, and shall fix and determine said dates and amounts of such maturities of such state bonds in such manner that, together with the dates and amounts of interest payments on the bonds of said issue, they shall coincide, as nearly as it may deem to be practicable, with the dates and amounts of such estimated receipts.

SEC. 10. The rate of interest to be borne by the said state bonds need not be uniform for all bonds of the same issue, and the interest coupons first payable may be so payable at any time within one year after the date of such bonds.

SEC. 11. Both principal of and interest on the state bonds hereby authorized shall be payable in lawful money of the United States, at the office of the State Treasurer, or at the office of the state fiscal agent, in the City of New York, State of New York, or at the office of any duly authorized agent of the State Treasurer.

SEC. 12. Each bond issued under this act shall contain a reference to this act, and to the resolution or resolutions of the commission under which said bond is issued, and, if subject to call or redemption prior to maturity, shall contain a recital to that effect.

Article 6.

Preparation and Execution of Bonds.

SEC. 13. Immediately after the adoption by the commission of any resolution provided for in Section 8 of this act, the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds, in accordance with the specifications contained in said resolution, and in so doing shall arrange for the imprinting thereon of the interest rates and other appropriate matter after the sale of the bonds and the awarding thereof to the successful bidder.

SEC. 14. All bonds issued under this act shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed

by the State Treasurer either by original signature or by a signature stamp, and each of said bonds shall bear an impress of the Great Seal of the State of California Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer Each such signature shall be that of the person who shall be in office at the date of the affixing thereof, in the case of original or stamped signature, or at the date of authorizing the affixing thereof, in the case of facsimile signatures. Bonds and coupons so executed shall be valid and binding notwithstanding any of such persons having ceased to hold his respective office before their issuance and delivery.

SEC. 15 Whenever the commission may determine by resolution that for any reason any bonds which have been prepared and executed under the foregoing provisions should not be sold or issued, the State Treasurer shall cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. Upon the commission so determining by resolution, new bonds, conforming to its directions, may be prepared and executed in lieu of any bonds so cancelled, and may be sold and issued in the same manner as other bonds authorized by this act

SEC. 16 If the right so to do has been reserved in the resolution adopted under Section 8 of this act, temporary or interim bonds, certificates or receipts may be issued and delivered in lieu of definitive bonds, and shall be exchangeable for such definitive bonds when they are executed and available for delivery Such temporary securities shall conform to such resolution, and the signature of the State Treasurer alone, which may be by signature stamp, shall be sufficient execution thereof.

Article 7.

Pledge of Full Faith and Credit, and Authorization of Taxation.

SEC. 17 All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal thereof and the interest thereon

SEC 18. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this act, as said principal and interest become due and payable.

SEC. 19 There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as together with such sums as may be made available from the fund created *by this act, shall be required to pay the principal of and interest on said bonds* as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum

Article 8

Sale of Bonds.

SEC 20 Following the adoption by the commission of any resolution provided for in Section 8 of this act, the Governor shall direct the State Treasurer, in writing, under the seal of the State, to offer the bonds specified in said resolution for sale at a specified day and hour

SEC 21 Due notice of the time and place of sale of the said bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles, once a week during two weeks prior to such sale In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised.

SEC 22 The State Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale to such time and place as he may select.

SEC 23 Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for one percent (1%) of the par value of the bonds so offered for sale, drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California Such deposit shall not bear interest

SEC 24. *The said bonds specified in said resolution and in said direction of the* Governor shall be sold by the State Treasurer at the time so directed by the Governor, at public sale, upon sealed bids, to the bidder whose bid will result in the lowest net interest cost on account of such bonds, but the State Treasurer must reject any and all bids for said bonds which shall be below the par value thereof plus the interest which shall have accrued thereon from the date thereof (or, if any past due coupon or coupons have been detached from said bonds prior to the delivery thereof, then from the

due date of the latest coupon so detached) to the date of the purchaser's payment for said bonds. The net interest cost under each bid shall be determined by ascertaining the total amount of interest which the State would be required to pay under that bid, from the date of sale to the respective maturity dates of the bonds then offered for sale, at the coupon rate or rates specified in such bid, less the total amount of the premium (if any) offered by such bid. The bid under which the amount so ascertained is the least shall be deemed to be the bid resulting in the lowest net interest cost Such sale shall be for cash, payable upon the delivery of the bonds in definitive form, or if the right to deliver temporary securities has been reserved, then upon the delivery of such temporary securities

SEC 25. The deposit of each unsuccessful bidder shall be returned to him immediately upon the rejection of his bid or the acceptance of another bid.

The deposit of the successful bidder shall, immediately upon the acceptance of his bid, become and be the property of the State of California and be placed in the State Treasury to the credit of the fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, nor, unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed, shall such successful bidder have any right to the recovery of said deposit accompanying said bid or to any allowance or credit by reason of such deposit.

SEC. 26 Upon payment in full for said bonds, the same shall be delivered to the purchaser in definitive form, unless the right to deliver temporary securities has been reserved or the purchaser has waived the right to receive definitive bonds at the time of payment, in either of which events such temporary securities, exchangeable for definitive bonds, may be delivered upon such payment. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer, upon notice, as provided in case of original sale.

SEC. 27. The proceeds of each sale of bonds authorized by this act, and such amount as may have been paid as accrued interest on such bonds, shall be forthwith paid over by the State Treasurer into the fund All money deposited in the fund under the provisions of this section which is derived from premium and accrued interest on bonds sold shall be reserved in said fund and shall be available for transfer to the General Fund as provided by Section 38 of this act

SEC. 28. Whenever the commission deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, a legal opinion, other than that of the Attorney General, as to the validity of the bonds, the commission may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion Payment for such legal services shall be made from the fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose.

Article 9

Administration of Fund

SEC. 29. The commission shall have full charge and control of the administration of the fund. The proceeds of the sale of all bonds authorized by this act, other than such sums as may be received as premiums or as accrued interest, shall be used exclusively for the purchase of bonds issued by public agencies for public improvements, excepting only that, to such extent as other moneys are not available therefor, such proceeds may be used for the purposes specified in paragraph (b) of Section 3 of this act The commission may also use for the purchase of such bonds issued by public agencies any money in the fund, whether derived from the re-sale of bonds of public agencies or otherwise, not required by the terms of this act to be applied to some other purpose.

SEC 30. The commission shall not disburse in any fiscal year for the purchase of bonds issued by public agencies any amount in excess of an amount determined by the Legislature and by it budgeted for such use.

SEC 31 Before any bonds of a public agency, other than general obligation bonds, are purchased by the commission:

(a) The public agency shall have approved the public improvement for which its bonds are issued.

(b) The commission shall have satisfied itself, either through a thorough study and investigation made by or for it, or through studies and reports, satisfactory to the commission, furnished by the public agency, that the public improvement for which the bonds are issued is economical and feasible and that the receipts of the public agency charged with the payment of such bonds will be sufficient to pay all sums accruing as principal or interest on said bonds until they have been fully paid, in addition to paying all other charges against said receipts If it so determines, it shall approve the public improvement.

(c) The issuance of such bonds of such public agency shall have been authorized or approved by a majority of the electors thereof voting on the proposition at an election at which the same shall have been duly submitted; provided, however, that

the commission may waive the requirement of this paragraph (c) in any case where the law or charter under which the bonds of the public agency are issued does not require such vote, but accords to the electors thereof the right of referendum on the question of the issuance of such bonds, or in any case where the commission shall determine by resolution that, for reasons stated in such resolution, it is in the public interest so to do.

(d) The commission may require the public agency to furnish a legal opinion as to the validity of the bonds, rendered by bond counsel approved by the commission.

SEC. 32. The commission shall not purchase any bonds issued by any public agency unless it shall be satisfied that such bonds will yield to the State an average rate of return of not less than one-fourth of one percent (¼%) above the net interest cost to the State of the money used for such purpose. It is the intent of this provision that the differential between the yield received by the State on bonds of public agencies purchased and the net interest cost of the money used for such purchase shall be the primary source from which the expenses of administering the fund shall be paid, and the prices to be paid for bonds of public agencies shall be such as in the judgment of the commission will result in its operations becoming self-sustaining at the earliest practicable time. At any time after the operations of the commission have become fully self-sustaining, and after all amounts advanced from the General Fund for payments of principal or interest on state bonds issued under this act, not met by moneys in the fund, have been repaid, the commission may purchase bonds of any public agency on a basis estimated to yield less than one-fourth of one percent (¼%) in excess of the net interest cost of the money used, but not less than it shall estimate to be sufficient to keep the operations of the commission self-sustaining

SEC. 33. The commission may purchase any such bonds of a public agency either by direct negotiation or by becoming a bidder when any such bonds are offered for public sale. In any case where the commission may purchase any such bonds of a public agency which are issued to provide only a part of the cost of a public improvement and it is contemplated that one or more additional issues of such bonds will thereafter be issued to provide the cost of completing such public improvement, the commission may enter into a commitment to purchase such future issues, subject to such limitations of price and interest rates and such other terms and conditions as the commission may deem proper.

SEC. 34. Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, bonds issued by any such public agencies jointly, or by any board or commission established to administer or control such undertaking, to finance the same, shall be deemed to be bonds of a public agency within the meaning of this act, and, to the extent necessary to give effect to this section, the words "public agency" and "public agencies," wherever used in this act, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that the approval required by paragraph (a) of Section 31 of this act shall be the approval of each public agency so joining or cooperating, and the approval by vote of the electors required by paragraph (c) of said section, unless waived as therein provided, shall be the approving vote of a majority of the electors of each public agency so joining or cooperating voting on the proposition.

SEC. 35. Whenever the commission shall deem it to be in the interests of the State so to do, it may offer any or all bonds of public agencies held by it for public sale at such times and places and after such notice as it may determine to be proper. Sales need not be made after such offer, but the commission may withdraw such bonds from sale, and may again offer them for sale from time to time as it may determine to be proper to effectuate the purposes of this act, and as the commission may determine to be required by sound financial administration

SEC. 36. The proceeds of the sale of bonds pursuant to Section 35 of this act shall be deposited in the fund.

SEC. 37. All interest paid by any public agency upon bonds purchased by the commission pursuant to this act shall be deposited in the fund

SEC 38. On the several dates when payments of principal or interest become due on bonds issued under this act there shall be transferred into the General Fund in the State Treasury from the fund, so far as available therein, amounts equal to all sums so becoming due for principal or interest on said bonds. Money in the fund derived from the differential provided for in Section 32 of this act or derived from the proceeds of the sale of bonds authorized by this act (other than sums received as premiums or accrued interest) shall not be deemed to be available for such transfer, provided, however, that if the commission shall deem the amount in the fund derived from such differential to be inadequate to meet the current expenses of administering the fund, it may direct that such additional amount as it may specify shall be withheld from such transfers, and provided, further, that if the commission shall deem the amount in the fund derived from such differential to be more than sufficient to meet such current expenses, it may direct that such amount thereof as it may specify shall be included in any such transfer to the General Fund

SEC. 39. If the amounts transferred to the General Fund pursuant to Section 38 of this act are insufficient to reimburse the General Fund in full for all amounts of

principal and interest paid on said bonds, the balance remaining unpaid shall be transferred from the fund to said General Fund as soon thereafter as such transfer can be made consistently with the provisions of Section 38 of this act as to the availability of moneys in the fund.

SEC. 40. All actual and necessary expenses of the commission and of the members thereof incurred in the performance of their duties arising out of the provisions of this act shall be paid out of the fund. Such expenses incurred by members of the commission shall be so paid upon claims filed with the State Controller by the member or members of said commission who incurred such expenses.

SEC. 41. The Department of Finance is authorized, to invest any surplus money in the fund in bonds or other obligations of the United States, or of the State of California, or of any public agency, and to sell such bonds, or obligations, or any of them, at the governing market rates. Interest earned or other increment derived from investments made pursuant to this section shall, on order of the State Controller, be deposited in the Fund, and shall be available only for transfer to the General Fund, as provided in Section 38 of this act.

SEC. 42 The Controller, the State Treasurer and the commission shall keep full and particular account and record of all their proceedings under this act and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be transmitted by the Governor to the Legislature annually; and all books and papers pertaining to the matters provided for in this act shall at all times be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State

Article 10.

Payment and Cancellation of Bonds

SEC. 43. The State Treasurer, directly or through the State Fiscal Agent, at New York, New York, or through a duly authorized agent, shall, on the respective dates of maturity of all bonds issued under this act, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said bonds (other than coupons cancelled because of the redemption of any of said bonds prior to maturity) or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such State Fiscal Agent, or other duly authorized agent, pay the same

SEC 44 Upon the payment of any such bond or coupon, the State Treasurer, or such State Fiscal Agent, or other duly authorized agent, shall perforate the same with a suitable device in a manner to indicate such payment and the date thereof The State Treasurer, or such State Fiscal Agent, or other duly authorized agent, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold.

SEC. 45. Not less than four (4) years after the final maturity date of any particular issue of bonds, the State Treasurer, or such State Fiscal Agent, or other duly authorized agent, may destroy or cremate any or all bonds of such issue and any or all coupons pertaining thereto which have been previously paid or cancelled as provided herein.

SEC 46 Whenever any payment of principal of any bonds issued under this act shall become due, either upon the maturity of any of said bonds or upon the redemption of any thereof prior to maturity, and whenever any interest on any of said bonds shall fall due, warrants shall be drawn against the appropriation made by Section 18 of this act from the General Fund by the Controller of the State in favor of the State Treasury, or the State Fiscal Agent, or other duly authorized agent, pursuant to claims filed with the State Controller by the State Treasurer, in the amounts so falling due, and the amounts so paid for such principal and interest shall be charged against the proceeds of said warrants.

Article 11

Redemption of Bonds

SEC. 47. Whenever the commission shall determine that any bonds issued under this act and then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available in the fund at the time proposed for such redemption, it may by resolution direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem said bonds in accordance with the provisions for redemption provided for in the resolution of the Commission adopted under Section 8 of this act pursuant to which the bonds so to be called were issued

Article 12.

Other Laws Applicable.

SEC. 48. So far as consistent with the provisions of this act, all of the provisions of Part 3, entitled "State Bonds", of Division 4, Title 2, of the Government Code, and of such other acts of the Legislature as relate to state bonds generally, and to the powers and duties of state officers related thereto, but not such acts as relate to specific issues of state bonds, or to state bonds of specified classes, shall be applicable to the bonds authorized by this act and to the powers and duties of state officers related thereto.

Article 13.

Taking Effect of this Act

SEC. 49. This act shall take effect only if an amendment to the Constitution of the State of California authorizing the issuance of bonds of the State of California in the sum of one billion dollars ($1,000,000,000) for the purposes specified in Section 3 of this act, and ratifying, validating, confirming and making fully and completely effective this act, shall be adopted by the voters and become effective, and in such case this act shall take effect at the same time such amendment takes effect."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 12, inclusive; and strike out all of pages 2 to 9, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 369—An act to add Section 81 to the Labor Code, relating to Deputy Labor Commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "the", and strike out line 4, and insert "there shall be appointed impartial deputy labor commissioners whose"

Amendment No. 2

On page 1, line 9, of said bill, after "appointment", insert ", and such rate of compensation shall apply to every person holding the position of deputy labor commissioner on the date it is fixed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 12 of the printed bill, between lines 7 and 8, insert "be applicable to the counties, as agents of the State for the purposes of administering state and federal funds provided for assistance under the cited portions of this code, in employing personnel for such purposes.

In the exercise of its functions under this section, the State Department of Social Welfare shall exercise no authority with respect to the selection, tenure of office and compensation of any individual if he is employed in accordance with such standards.

Nothing in this section shall prevent any county from establishing its own merit system and determining thereunder the personnel standards to be applicable to its employees, but as to those employees engaged in the administration of state and federal funds granted to a county as agent of the State for the cited portions of this code, the State Department of Social Welfare shall have a supervisory power to insure compliance with the personnel standards it establishes to the end that this State shall at all times conform to the requirements of federal law for the continued receipt of federal grants-in-aid.

SEC. 8. Section 124 of said code is amended to read.

124. There is a Social Welfare Fund established in the State Treasury, in which there shall be deposited:

(a) All grants of money received by the State from the United States under the provisions of Title I, IV, [and] X, *XIV*, and Part 3, of Title V of the Social Security Act, and any other grants, the expenditure of which is administered through or under the direction of the State Department of Social Welfare.

(b) All money appropriated by the State for the support of the State Department of Social Welfare. The department may use the money within this subdivision for the purposes for which the money in subdivision (a) is made available by the United States for expenditure by this State but all money so used by the department shall be returned to the support appropriation from the next subsequent grant or grants of the United States. The money to be deposited in the Social Welfare Fund under this subdivision shall be transferred to the Social Welfare Fund in such amounts as may be authorized by executive order of the Director of Finance.

The State Department of Social Welfare may and the Controller shall keep a record of the classes and sources of income credited to the Social Welfare Fund and of the disbursement therefrom

Unless otherwise expressly provided, all money deposited in the Social Welfare Fund under an appropriation by the State shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and shall be subject to the provisions of Section 16304 of the Government Code.

SEC. 9. Section 145 of said code is amended to read:

145. The purpose of this chapter is to provide for the continued operation of the state plans for aid to the aged, the needy blind, *the disabled*, and needy children in the event that federal assistance therefor is temporarily delayed or not available.".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3270 BE WITHDRAWN FROM SECOND READING FILE, AND BE RE-REFERRED

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 3270 be withdrawn from the second reading file, and be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3126—An act to amend Section 2 of an act entitled "An act making an appropriation to the emergency fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged and destroyed by storms or floods.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2", and insert "1".

Amendment No. 2

In line 9 of the title of said bill, after "floods", insert "and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. The entire unencumbered balance of the appropriation provided for by an act entitled "An act making an appropriation to the emergency fund specified in Item 325 of the Budget Act of 1947, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor," approved July 18, 1947, is hereby appropriated to the emergency fund specified in Item 278 of the Budget Act of 1949, to be expended by the Department of Public Works acting through the agency of the State Engineer (1) during the 1949-50 Fiscal Year beginning July 1, 1949, and ending June 30, 1950 and the 1950-51 Fiscal Year beginning July 1, 1950 and ending June 30, 1951, (2) for the cost of repair or restoration, or both, of levees, flood control works, roads, canals, ditches and flumes, channels, irrigation works, city and county roads and bridges and other property damaged or destroyed by storm, storm and flood or flood conditions *or by the effect of necessary use of such works, roads, bridges, or other property while in a weakened condition caused by such storm and flood or flood conditions*, subsequent to December 31, 1948, and for which no appropriation or insufficient appropriation, has otherwise been made by law, (3) subject to each and all of the following (in addition to other) conditions restrictions and limitations

None of the moneys hereby appropriated shall be expended, allotted or encumbered, or become available for expenditure, for a work of repair, or restoration, except for the making of investigations, estimates or reports hereunder by said department unless and until:

(a) Such expenditure and purpose is first approved by the Director of Finance.

(b) The department has first investigated and reported upon the proposed work, has found it to be a matter of general public and state interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance

(c) Moneys equal to or in excess of the amount expendable from this appropriation for said work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the executive department of the State Government) for expenditure by the department for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government Money allocated or assigned to a political subdivision, public district, municipality, county or public agency pursuant to the provisions of the Construction and Employment Act *or any other law* shall not be considered to be funds from the State Treasury or funds of any agency which is a part of the executive department of the State Government and may be used for matching purposes under this act notwithstanding provisions of the Construction and Employment Act *or such other law*.

The department may perform all or any portion of said work directly by contact or force account or the department and any entity herein authorized to match the appropriation herein made may enter into a contract whereby all or any portion of such work may be performed by any party to such contract *Such contracts may include reimbursement for the cost of work already performed by such entity or the acceptance of such cost in lieu of matching funds, where it was necessary that such work be performed prior to the fulfillment of the requirements of this section, either because of the urgent character of such work, the unavailability of matching funds, or failure of the work to meet the requirements then in effect.*

Not more than 20 percent of the money appropriated by this act shall be expended in any one county.

SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Recent occurrences of storms and floods have caused extensive damage to levees, flood control works, channels, irrigation works, city and county roads and bridges and other property.

While funds have been appropriated for the repair and restoration of the damaged property, it has been ruled that such funds may not be used to repair damage resulting from the necessary use of such property while in a weakened condition caused by such floods; nor has adequate relief been afforded to counties or other political entities that had to undertake repairs before prior approval and investigation by state departments either because of the urgent need for the repairs, the unavailability of matching funds, or the failure of the work to meet the requirements then in effect. Inasmuch as the repair of such flood damaged property must be performed at once and the reimbursement of the counties and public entities be made at once in order to provide money for further repairs and other essential services, it is necessary in the interest of public health and safety that this act take effect immediately."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 11, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 797—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "_____ dollars ($_____)", and insert "eight hundred forty-eight thousand three hundred forty dollars ($848,340)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, lines 22 and 23, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 2

On page 3, line 24, of said bill, strike out "teaching", and insert "administrative".

Amendment No. 3

On page 3 of said bill, strike out lines 26 to 35, and insert

"409. One half of the annual salary of each county superintendent of schools shall be paid monthly out of the salary fund of the county treasury in the same manner as are the salaries of other county officers The other half of the annual salary of each county superintendent of schools shall be paid monthly out of the county school service fund in the same manner as other payments from the county school service fund are made."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, after "war", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The United States of America is in a state of emergency The continued maintenance of all parts of the Public School System being essential to the welfare of the United States and of the State of California it is necessary that provision be made immediately for the securing of the necessary materials and supplies to operate the Public School System. Because of the unsettled condition of prices and because of the scarcity of materials it is becoming increasingly difficult to secure the materials and supplies needed to operate the Public School System through ordinary notice and bidding procedure It is therefore necessary to authorize school districts to acquire materials and supplies without the necessity of calling for and receiving bids in the ordinary manner"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1586—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "temporary", and insert "provisional"

Amendment No. 2

On page 1, line 3, of said bill, after "90", insert "working".

Amendment No. 3

On page 1, line 4, of said bill, after "made", insert "in any class"

Amendment No. 4

On page 1, line 5, of said bill, after "eligibility", strike out "list Successive temporary", and insert "list, provided that continuous examination procedures for the class have been authorized by the commission. Such successive provisional".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1587—An act to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert "An act to add Section 14122 6 and to amend Sections 14112, 14122, 14122 5, 14127, 14131, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees"

Amendment No. 2

On page 2, line 15, of said bill, strike out "90-day", and insert "90 working days".

Amendment No. 3

On page 2, line 44, of said bill, strike out "with", and insert "within"

Amendment No. 4

On page 2 of said bill, after line 48, insert

"SEC 7. Section 14122 6 is added to said code to read:

14122 6 The commission may by rule provide for the continuous examination of eligibles for classes of positions which the commission determines cannot be practicably filled by promotional examination only"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2088—An act to add Article 10, comprising Sections 10191 to 10195, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to the reading of the Bible in public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to add Article 4, comprising Sections 8301 to 8305, inclusive, to Chapter 3, Division 4 of the Education Code,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Article 4 is added to Chapter 3, Division 4 of the Education Code to read:

Article 4 Bible Reading

8301 Inasmuch as the Supreme Court of the United States, in a unanimous decision, declared this to be a Christian nation, and the Preamble to the State Constitution declares, "We, the people of the State of California, grateful to Almighty God for our freedom, in order to secure and perpetuate its blessings, do establish this Constitution," and the Bible was declared by the Supreme Court of the State of California to be an unsectarian book, and this State already requires the teaching of morals and manners in the public schools, it is the intention of the Legislature to provide in this article for the daily reading of the Bible in the public schools.

8302 In each class and grade in the public schools, selections from the Old and New Testaments of the Bible shall be read aloud daily without comment.

8303. The selections shall be made by the State Board of Education.

8304. The selections shall be read in the class room by the teacher or by a capable pupil appointed by the teacher, or in the general assembly by the principal or by a reader appointed by the principal.

8305 No pupil shall be compelled to listen to the reading of the Bible against the will of his parents or guardian, expressed in writing to the principal of the school."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 80
House Resolution No. 85
House Resolution No. 86

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No 1771
Assembly Bill No. 1772
Assembly Bill No 1773
Assembly Bill No. 1785
Assembly Bill No 1786
Assembly Bill No 1940

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 80

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 80, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 80

By Mr. Davis:

House Resolution No. 80

Relative to the passing of John P. Branley

WHEREAS, The Members of the Assembly have learned with regret of the passing on January 29, 1951, of John P. Branley, former member of the Board of Supervisors of Plumas County; and

WHEREAS, John P. Branley had served for 14 years as member of the County Board of Supervisors, retiring in 1947; and

WHEREAS, He was active in civic and community affairs having rendered splendid services in Indian Valley and Greenville; and

WHEREAS, John P. Branley had a host of sincere friends throughout the State who knew him because of his efforts in connection with the Supervisors' Association and the Western Mining Council in which field he was most active; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of John P. Branley; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of John P. Branley; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Annis E. Branley, his widow, and Molly Treleaver, Greenville, Margaret Hall, Sacramento, and Jenny Terrell, Chester.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 85, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 85

By Mr. Lyon:

House Resolution No. 85

Relative to a St. Patrick's Day celebration in the Assembly, and appropriation of $150 therefor

WHEREAS, It has become a national and often international custom for men of good will and tolerance to join in a celebration of St. Patrick's Day throughout the lands wherein the Sons of Ireland reside; and

WHEREAS, The State of California and more particularly the Assembly of the State are served by no few number of the Sons of Ireland; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of one hundred and fifty dollars ($150) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly to the Rules Committee for the celebration of St. Patrick's Day 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

ANNOUNCEMENT

Mr. Dickey announced that a new policy has been adopted by the Committee on Rules and that every House resolution will be considered on its individual merits. He reminded members that most resolutions pay respect to people who have died who are well known in their districts but little known statewide, and that if the work of this session is to be expedited and concluded on the date of adjournment, the file on House resolutions must be minimized He urged every member to please cooperate and use discretion in the introduction of all resolutions.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2213 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 2213 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Public Utilities and Corporations.

REQUEST FOR UNANIMOUS CONSENT THAT ALL BILLS HOLD PLACES ON FILE

Mr. Waters asked for, and was granted, unanimous consent that all bills passed on file today, hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 708—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 713—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 714—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 715—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 717—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 719—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 726—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 728—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 456—An act to amend Section 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals.

Bill read third time, and ordered temporarily passed on file

Assembly Bill No. 628—An act to amend Section 806 of the Fish and Game Code, relating to shellfish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 630—An act to amend Section 432.6 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 722—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203 1, 1203 12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1773—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103*l*, 103m, 103n, 103½, 103¾, 104, 107, 110, 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to

repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717 1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054 1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1940—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 456

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 456, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 456

Assembly Bill No. 456—An act to amend Section 1230, 1250, and 1340 5 of the Fish and Game Code, relating to predatory and protected mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Crowley announced that a Report of the Joint Legislative Interim Committee on the California State Program for the Adult Blind is being printed as a separate document, by said committee, and that copies will soon be available to members, and asked for, and was granted, unanimous consent that the letter of transmittal to this report be printed in the Journal, and that the accompanying copy of the report be ordered filed.

LETTER OF TRANSMITTAL

Sacramento, March, 1951

To HONORABLE GOODWIN J. KNIGHT, *President of the Senate*
and HONORABLE SAM L. COLLINS, *Speaker of the Assembly*

Pursuant to Senate Concurrent Resolution No. 28 of the 1949 Regular Session of the Legislature, creating an Interim Committee on the State Program for the Adult Blind, we hand you herewith our report covering the activities of the committee, which you will find contains under Section I information gathered by the committee and listed in seven separate subheads in the table of contents of this report, and likewise the conclusions and the recommendations of the committee

We believe the work of the committee has furthered the principle contained in the resolution creating the committee, namely, the assisting in developing a program of (1) the proper orientation of the blind, particularly the newly blind, and (2) the training of blind adults to the end that they may become self-supporting citizens and not dependent upon state aid, and (3) the adoption of new policies that are necessary to permit the full use of any methods and techniques to achieve these ends. The committee has various recommendations to carry out this program via two methods: one, by an improved method of administration practices by the various state departments dealing with blind adults; the other, certain legislation clarifying state policies relative to the program for the adult blind.

We trust this report will be of assistance to the Legislature and all interested citizens in understanding the adult blind program in California

Respectfully submitted,

JOINT INTERIM COMMITTEE ON STATE PROGRAM FOR THE ADULT BLIND, S C. R. No. 28

JACK B. TENNEY, State Senator
HAROLD T. JOHNSON, State Senator
KATHRYN T. NIEHOUSE, Member of the Assembly
ERNEST C. CROWLEY, Member of the Assembly
ARTHUR W. COATS, Member of the Assembly
ARTHUR H. BREED, JR., State Senator, *Committee Chairman*

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1314 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 1314 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3172 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Elliott asked for, and was granted, unanimous consent that Assembly Bill No. 3172 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Social Welfare.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Charles V. ("Red") Irwin, former Assembly Page and Assistant Sergeant-at-Arms, who has just returned from the Korean War where he served in the Marine Corps is in the Assembly Chamber, in his wheelchair which was necessitated by the amputation of his legs, and requested that he be brought forward. An ovation followed as "Red" was wheeled to the front of the Chamber.

REQUEST FOR UNANIMOUS CONSENT THAT CHARLES V. IRWIN BE PLACED UPON ASSEMBLY PAY ROLL FOR DAY

Mr. Dickey asked for, and was granted, unanimous consent that Charles V. Irwin be placed upon the Assembly pay roll for the day as an Assistant Sergeant-at-Arms.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Niehouse:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more.

Respectfully submitted.

KATHRYN T. NIEHOUSE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mrs. Niehouse:

An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Landsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3379: By Mrs. Niehouse—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commis-

sioners in counties or cities and counties having a population of 60,000 or more.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

House Resolution No. 88

Relating to congratulating William Greene, Assistant at the Desk, on his fifty-fifth birthday

WHEREAS, "Billy", as he is known by his legion of friends, came in on the big wind at Los Angeles on St. Patrick's day, March 17, 1896; and

WHEREAS, "Billy's" mother, Anna McCarthy, impressed the love of the Irish on "Billy's" English born dad by conspiring with the leprechauns to have "Billy" arrive on the great Saint's Feast Day; and

WHEREAS, "Billy" attended the public grammar and high schools of Los Angeles and the Culver Military Academy of Culver, Indiana; and

WHEREAS, Since the 1943 Session he has served the Members of the Assembly as an attache, and by his genial personality and earnest application to the arduous duties at the desk he has endeared himself to the Speaker, Speaker pro Tempore, his fellow attaches, and every Member of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That his birthday may be a happy one and may the Good St. Patrick intercede for many happy birthdays to come.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 88, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 22: By Mr. Kelly—Relative to continuing the 27½ percentage depletion rate for oil producing properties in the Internal Revenue Code.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 34: By Mr. McCollister—Relative to the veterans' property tax exemption in respect to persons now serving in the Armed Forces.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Collier:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to accepting remuneration for assisting aged persons to apply for or obtain aid.

Respectfully submitted.

JOHN L. E. COLLIER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Collier:

An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to accepting remuneration for assisting aged persons to apply for or obtain aid.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3380: By Mr. Collier—An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to accepting remuneration for assisting aged persons to apply for or obtain aid.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred

Assembly Bill No. 1621

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 653
Assembly Bill No. 698
Assembly Bill No. 699
Assembly Bill No. 700
Assembly Bill No. 701
Assembly Bill No. 861
Assembly Bill No. 1007
Assembly Bill No. 1008
Assembly Bill No. 1268
Assembly Bill No. 1269
Assembly Bill No. 1701

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 652

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 20
Assembly Bill No. 472
Assembly Bill No. 527
Assembly Bill No. 1057
Assembly Bill No. 1078
Assembly Bill No 2715

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1058
Assembly Bill No. 2295

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 33

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 16, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 102
Senate Bill No. 103
Senate Bill No 221
Senate Bill No 241
Senate Bill No. 470
Senate Bill No. 471

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 102—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Referred to Committee on Agriculture.

Senate Bill No. 103—An act to amend Section 1038 of the Agricultural Code, relating to commercial fertilizer.

Referred to Committee on Agriculture.

Senate Bill No. 221—An act to amend Section 734 of the Agricultural Code, relating to fees paid by manufacturers of frozen milk products.

Referred to Committee on Agriculture.

Senate Bill No. 241—An act to add Article 14, consisting of Section 20985, to Chapter 7 of Division 8 of the Business and Professions Code, relating to disposition and use of certain moneys in the Department of Agriculture Fund.

Referred to Committee on Agriculture.

Senate Bill No. 470—An act to amend Section 802.6 of the Agricultural Code, relating to containers for grapes.

Referred to Committee on Agriculture.

Senate Bill No. 471—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Referred to Committee on Agriculture.

ANNOUNCEMENT

Speaker Sam L. Collins announced the death of the widow of Dr. G. H. Douglas who was elected a Member of the Assembly in 1923, and died the same year. Dr. Douglas was from Del Norte County and represented the First District.

Speaker Sam L. Collins announced burial services, today, at 1.30 p.m., of Mrs. G. H. Douglas at the City Cemetery, located at 10th Street and Broadway.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Fleury, Moss, and Grant as a Select Committee to represent the Members of the Assembly, today, at the funeral services of Mrs. G. H. Douglas.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 332

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 242	Assembly Bill No. 1178
Assembly Bill No. 331	Assembly Bill No. 1822
Assembly Bill No. 333	Assembly Bill No. 1824
Assembly Bill No. 806	Assembly Bill No. 2136
Assembly Bill No. 1158	Assembly Bill No. 2423

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 331, 332, and 333 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 242, 806, 1178, 2136, 1822, 1824, and 1158 re-referred to the Committee on Judiciary.

Assembly Bill No. 2423 re-referred to the Committee on Fish and Game.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Major H. M. Bentley, teacher, and the following pupils of the San Luis Obispo Junior High School, California Cadet Corps: Robert Cody, Bill Reynolds, Richard W. Wright, Charles Mueller, Kelly Hoover, Ronnie Kinsman, Robert Marchand, and Dale Nelson.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John J. Goodwin of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to James M. Alexander, teacher, and the following pupils of the Elder Creek School: Jane Ikigami, Shirley Pater, Betty Ceretto, Richard Davidson, Carol King, Bonnie Wilfong, Raymond Marler, Maxine Ables, Kenneth Crawford, Robert Wilkerson, Ellsworth Turner, Eugenia Wynn, Helen Lacey, Shirley Hampton, Laura Jones, Donna Wells, Joann Kimes, Roberta Mears, Grace Davis, Louise Hollingsworth, Tonia Swiatorvy, Laura Lee Jones, David Osborne, Gerald Hamilton, and George Meadows.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marguerite Pace, C. O. Blose, Victor Labree, A. F. Lego, teachers, and the following pupils of the San Lorenzo School District: Nevin Armstrong, William Boncher, Gerald Bulter, Robert Cameron, Gordon Evans, Mannie Garcia, Ronald Furtado, Danny Hagerty, Karl Krueger, George Madrid, Donald Miramontes, Robert Moreira, Robert Philpot, Thomas Roberts, James Sutherland, Dolores Alatorre, Joanne Bradovich, Sandra Davis, Lynne DeLong, Shirley Deuser, Joanne Frey, Linda Lewis, Marie Lopez, Rosie Inocencio, Betty Moreno, Shirley Olivera, Bernice Pitts, Doris Price, Claudette Pollard, Carol Svensgaard, Judy Santos, Rita Salas, Victoria Whiteside, Donald Gott, Thomas Mathews, Jerry Mitchell, Scott Cumming, Pat Nix,

Dick Bastain, Mona Cahill, Larry Fonseca, Nancy Aycock, Sally Dresbach, Carolyn Loud, Patricia Larson, Barbara Murphy, Arlene Pacheaco, Sharlene Ritts, Charlotte Rose, Carole Sylvester, Jim Enright, Harold Bowerman, Robert Cena, Dale Johnson, Ralph Larson, Danley Mackey, Alex Michaelis, Jerome Moss, Gordon Rouiller, Robert Valente, Martin Martinez, Arthur Dodge, Gary Scheid, Judy Pengelly, Charlotte Hooker, Shirley Cromeenes, Robert Allison, Kenneth Sedra, Donald MacDonald, Robert Inman, Carol McQueeney, Katie Roman, Ray Dorr, Billie Trimble, Glen Coleman, Gary Zorzi, Gene Tamura, Dave Pratt, Carol Clement, Marion Metzger, and Gerald Yarwood.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Howard F. Chappell and Vance Tennison, advisors, Sectional Future Farmers of America public speaking contest, and the following contestants: Leo Foletta, John Atkins, Claude Rohwer, Randall Chisholm, Herman Hunt, Martin Levy, Norbert Hackett, Henry Vargas, Robert Thompson, Marlin Reihwitch, Arnold Affonsa, Bill Chapman, Roger Haney, George Marietta, Charles Montgomery, Paul Barkley, Harrison Gibbs, Bill Wolin, LaMonte Thornberg.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Gene L. Alair of Ontario.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to D. A. Sirianni and daughter, Marilyn, of Dunsmuir.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Edward J. Wren, Ray Oratta, John Regan, and Frank Buckley of San Francisco.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to the following officers and directors of the California Association of Insurance Agents: Mr. and Mrs. Lorrin K. Carroll, Chico; Robert E. Battles, Los Angeles; Robert E. Dawson, Pasadena; Gene L. Alair, Ontario; Mr. and Mrs. Fred A. Banducci, Modesto; Mr. and Mrs. Laurence Canfield, Santa Cruz; Phil D. Ellithorpe, Fresno; Mr. and Mrs. George O. Johnson, Oakland; Mr. and Mrs. Norman M. Quillinan, Sacramento; Mr. and Mrs. Rae F. Redfern, Bakersfield; Mr. and Mrs. W. R. Van Dusen, Sherman Oaks; Mr. and Mrs. Leroy F. Wilkie, San Rafael; W. G. Wilson, Long Beach; Paul Wolcott, Jr., San Diego; A. G. Zeppegno, Santa Ana; Trev. A. Burrow, Oakland; W. F. Williams, Oakland; Gladys Taylor, Oakland; Mr. and Mrs. William P. Welsh, Pasadena; Ivan Rankin, Oakland; Sterling Tipton, Oakland; Mrs. Verial Cook, Los Angeles; James Bennett, Los Angeles; Mr. and Mrs. Ray Purdy, Modesto; Mr. and Mrs. Ivor Davies, San Rafael; Mr. and Mrs. Willis K. Thoits, Palo Alto, and H. H. Hendren, Sacramento.

ADJOURNMENT

At 11 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 19, 1951.

SAM L. COLLINS, Speaker.

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 19, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

Request for Unanimous Consent That Name of Mr. Stewart Be Placed Upon Morning Roll Call

Mr. Lyon asked for, and was granted, unanimous consent that the name of Mr. Stewart, who was present in the Assembly Chamber but is now attending a meeting of the Board of Public Works, be placed upon the morning roll call.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy Name.

We bring to Thy throne this day our Nation and our defenders, our President, our Governor, the Speaker and Members of this Assembly, our citizens and our allies. We acknowledge the teaching of Thy Holy Book—"righteousness exalteth a Nation, but sin is a reproach to any people." We pray for a righteous victory in the conflict which has come upon us, and for a just and durable peace for the days to come.

"Drop Thy still dews of quietness, Till all our strivings cease;
Take from our souls the strain and stress, And let our ordered lives confess
The beauty of Thy peace."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gubser, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Burkhalter.

Mr. Butters, on motion of Mr. Burkhalter.

Mr. Grunsky, on motion of Mr. Hansen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L Collins:

A resolution from Lloyd Mockey, chairman of a public meeting, and others, relative to Bellevue-Wilfred Drainage District Account No. 2202, and the use of drainage tax money, was received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

APPOINTMENTS TO COMMITTEES ANNOUNCED

Speaker Sam L. Collins announced the reappointment of Members of the Assembly to committees, as follows

Messrs. Beck and Maloney to the State Allocation Board.

Messrs. Stewart and Sam L. Collins to the State Public Works Board.

Messrs. Dunn and Kirkwood to the State School Building Finance Committee.

Messrs. Davis, Erwin, and Lowrey to the Wildlife Conservation Board.

Messrs. Beck, McCarthy, and Smith to the Joint Committee on Interhouse Cooperation pursuant to Senate Concurrent Resolution No. 10, Resolution Chapter 35, Statutes of 1951. The resolution also provides that the Speaker and the Chairman of the Committee on Rules be members of the committee.

Messrs. Sherwin, Lowrey, Lipscomb, and Hollibaugh to the Joint Legislative Budget Committee pursuant to the provisions of Senate Concurrent Resolution No. 10, Resolution Chapter 35, Statutes of 1951. The resolution also provides that the Speaker be a member of the committee.

Messrs. Beck, McCarthy, and Smith to the State Capitol Committee pursuant to the provisions of Chapter 288, Statutes of 1949. The resolution also provides that the Speaker and Chairman of the Committee on Rules be members of the committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 182	Assembly Bill No. 1216
Assembly Bill No. 369	Assembly Bill No. 1586
Assembly Bill No. 380	Assembly Bill No. 1587
Assembly Bill No. 797	Assembly Bill No. 2088
Assembly Bill No. 1004	Assembly Bill No. 3126

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 166	Assembly Bill No 1114
Assembly Bill No. 167	Assembly Bill No. 1146
Assembly Bill No. 168	Assembly Bill No. 1210
Assembly Bill No. 169	Assembly Bill No. 1211
Assembly Bill No. 592	Assembly Bill No. 1214
Assembly Bill No 594	Assembly Bill No. 1606
Assembly Bill No. 816	Assembly Bill No. 1693
Assembly Bill No 836	Assembly Bill No. 1697
Assembly Bill No. 1035	Assembly Bill No 1916
Assembly Bill No. 1036	Assembly Bill No. 1988
Assembly Bill No 1037	Assembly Bill No 2065
Assembly Bill No. 1038	Assembly Bill No. 2412
Assembly Bill No 1112	Assembly Bill No. 3184

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 248

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 23: By Mr. Luckel—Relative to economy in Federal Government expenditures and services.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 125—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1950 for legislative printing, binding, mailing, etc., to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 126—An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 128—An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 130—An act making an appropriation in augmentation of the appropriation in Item 10 of the Budget Act of 1950, for expenses of Members of the Assembly, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 390—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 527—An act to amend Section 20205, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2715—An act to provide for the reimbursement of State Employees Retirement System contributions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 698—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 699—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 700—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

Bill read second time, and ordered engrossed.

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 861—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes

Bill read second time, and ordered engrossed.

Assembly Bill No. 1007—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1008—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1268—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1269—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1701—An act to amend Section 533 of the Vehicle Code, relating to school busses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1844—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code, and to add Section 1028 to the Probate Code, relating to the taxation of property which has escheated or been distributed to the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", and", and insert a semicolon.

Amendment No. 2

In line 3 of the title of said bill, strike out the comma, and insert "; and to amend Section 1325 of the Code of Civil Procedure;".

Amendment No. 3

On page 1, line 3, of said bill, after "If", insert "real"

Amendment No. 4

On page 1, line 6, of said bill, strike out "the", and insert "such real".

Amendment No. 5

On page 1, line 12, of said bill, after "When", insert "real"

Amendment No. 6

On page 1, line 17, of said bill, after "such", insert "real".

Amendment No. 7

On page 2, line 1, of said bill, strike out "property", and insert "real property".

Amendment No. 8

On page 2, line 3, of said bill, after "such", insert "real".

Amendment No. 9

On page 2, line 6, of said bill, strike out "prop-", and insert "real prop-".

Amendment No. 10

On page 2, line 17, of said bill, after "any", insert "real".

Amendment No. 11

On page 2, line 22, of said bill, after "such", insert "real".

Amendment No. 12

On page 2, line 26, of said bill, strike out "property", and insert "real property".

Amendment No. 13

On page 2, line 29, of said bill, after "such", insert "real".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 14

On page 2 of said bill, after line 43, insert

"SEC. 5. Section 1325 of the Code of Civil Procedure is amended to read:

1325. All money in the Unclaimed Property Fund is hereby continuously appropriated to the Controller, without regard to fiscal years, for expenditure for the following purposes:

(a) For refund, to the person making such deposit, of amounts, including overpayments, deposited in error in such fund;

(b) For payment of the cost of title searches and appraisals incurred by the Controller covering real or personal property held in the name of an account in such fund;

(c) For payment of the cost incurred by the Controller covering indemnity bonds required in order to have duplicate certificates of ownership issued in order to replace lost certificates, covering personal property held in the name of an account in such fund;

(d) For payment of amounts required to be paid by the State as trustee, bailee, or successor in interest to the preceding owner, pursuant to the provisions of trust deeds, mortgages, or other liens on real property held in the name of an account in such fund;

(e) For payment of costs of official advertising in connection with the sale of real or personal property held in the name of an account in such fund;

(f) For payment to taxing agencies of the amounts deducted by the Controller from allowed and approved claims, in accordance with the provisions of subdivision (c) of Section 4986.5 of the Revenue and Taxation Code.

(g) [(f)] For transfer to the General Fund, on order of the Controller, of the amount of any inheritance taxes determined to be due and payable to the State by any claimant, with respect to any real or personal property, including cash, claimed by him under the provisions of this title,

(h) [(g)] For payment and delivery to claimants, of money or other property held to the credit, or in the name, of an account in such fund, under the provisions of this title;

(i) [(h)] For transfer to the School Land Fund, on order of the Controller, of any money or other property in the Unclaimed Property Fund which becomes permanently escheated to the State under the provisions of this title.

SEC. 6. Section 5 of this act becomes operative only if a new Title 10 is added to Part 3 of the Code of Civil Procedure by enactment of the Legislature at its 1951 Regular Session, and in such case, at the same time as said new Title 10 takes effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 127—An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill strike out "two hundred eighty-two thousand three hundred eighty-three dollars ($282,383)", and insert "three hundred five thousand twenty-seven dollars ($305,027)".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 129—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "two hundred forty-six thousand six hundred six dollars ($4,246,606)", and insert "seventy-nine thousand seven hundred fifteen dollars ($4,079,715)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 131—An act making an appropriation to the Department of Veterans' Affairs for educational assistance to veterans in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "eight hundred thousand thirty-nine dollars ($800,039)", and insert "nine hundred seventy-five thousand dollars ($975,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In the first line of the title of the printed bill, after "amend," insert "Section 9608 of the Business and Professions Code, and to add Sections 9659 and 9660 to said code; and to amend".

Amendment No. 2

In line 3 of the title of said bill, after "Sections", insert "7101, 7925, 7927, 7928,".

Amendment No. 3

In line 4 of the title of said bill, after "8727," insert "8728,".

Amendment No. 4

In line 6 of the title of said bill, strike out "and 8780", and insert "8780, 9000, 9001, and 9005, and to add Sections 8726.1, 8738.1, 8747, 8751.1, and to repeal Sections 8727, 8734 and 8742".

Amendment No. 5

In line 6 of the title of said bill, strike out "private".

Amendment No. 6

On page 1, line 1, of said bill, after "SECTION 1.", insert "Section 9608 of the Business and Professions Code is amended to read:

9608. "Endowment care" or "endowed care" [shall have the same meaning as "perpetual care" and] shall include both general and special care funds.

SEC. 2. Section 9659 is added to the Business and Professions Code to read:

9659. In any report to the board all bonds, debentures or other evidences of debt held by a cemetery corporation if amply secured and if not in default as to principal or interest may be valued as follows:

a. If purchased at par at the par value.

b. If purchased above or below par on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield the effective rate of interest on the basis at which the purchase was made.

c. In such valuation the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase.

SEC. 3. Section 9660 is added to said code to read:

9660. Any security or other evidence of debt if in default as to principal or interest or if not amply secured shall not be valued as an asset of the endowment care fund above its market value.

SEC. 4."

Amendment No. 7

On page 1, line 6, of said bill, after "SEC.", strike out "2", and insert "5".

Amendment No. 8

On page 1, line 12, of said bill, after "SEC.", strike out "3", and insert "6".

Amendment No. 9

On page 1 of said bill, strike out line 18, and insert

"SEC. 7. Section 7101 of said code is amended to read:

7101. When any decedent leaves an estate in this State, the reasonable cost of interment and an interment plot of sufficient size to constitute a family plot and memorial including reasonable sums for either, or both, general and special [perpetual] *endowment* care of the plot proportionate to the value of the estate and in keeping with the standard of living adopted by the decedent prior to his demise, together with interest thereon from the date of interment, shall be considered as a part of the funeral expenses of the decedent and shall be paid as a preferred charge against his estate as provided in the Probate Code.

If a claim for an interment plot or memorial is rejected the burden of proving that the cost of the interment plot or memorial is disproportionate to the value of the estate and the standard of living adopted by the decedent while living shall be upon the executor or administrator rejecting the claim. This chapter does not prohibit any relative or friend of a decedent from assuming the duty or paying the expense of interment.

SEC. 8. Section 7925 of said code is amended to read:

7925. Money payable or to become payable as the purchase price or on account of the purchase price of unused lands, or lands from which all remains have been removed is not subject to garnishment, attachment or execution, but shall be used exclusively for any or all of the following purposes.

(a) Acquisition of lands and improvements for cemetery purposes.

(b) Disinterment, removal, and reinterment of bodies, pursuant to this chapter.

(c) [Perpetual] *Endowment* care of graves, markers, and cemetery embellishments

(d) The payment of expenses incidental to the disinterment, removal, and reinterment.

(e) Any other purpose consistent with the objects for which the cemetery authority owning the cemetery is created or organized.

SEC 9. Section 7927 of said code is amended to read:

7927. From the money remaining in the treasury of the cemetery corporation or association after completing the removal and reinterment of the remains from its cemetery lands and the payment of all incidental expenses, the cemetery corporation or association shall set aside an adequate *endowment care* fund for the [perpetual] maintenance and care of the cemetery in which the remains have been interred.

SEC. 10 Section 7928 of said code is amended to read:

7928 After making provisions for [perpetual] *an endowment care fund to provide for* maintenance and care, the governing body of the cemetery corporation or association may use such portion of the funds then remaining as it may determine to be just and fair in reimbursing those who voluntarily and at their own cost and expense removed the remains of friends or relatives from the cemetery lands from which the remains were ordered removed. Such reimbursement shall not be greater in amount than the average cost to the cemetery corporation or association for removals directly made by it.

SEC. 11. Section 8701 of said code is amended to read:"

Amendment No. 10

On page 1, line 22, of said bill, after "endowment", insert "care".

Amendment No. 11

On page 2, line 5, of said bill, after "SEC.", strike out "5", and insert "12".

Amendment No. 12

On page 2, line 9, of said bill, after "endowment", insert "care".

Amendment No. 13

On page 2, line 10, of said bill, after "SEC." strike out "6", and insert "13".

Amendment No. 14

On page 2, line 12, of said bill, strike out "irreducible".

Amendment No. 15

On page 2, line 13, of said bill, after "endowment", insert "care", and strike out "interest", and insert "net income".

Amendment No. 16

On page 2, line 14, of said bill, strike out "endowment", and insert "care".

Amendment No. 17

On page 2, line 16, of said bill, after "SEC." strike out "7", and insert "14".

Amendment No. 18

On page 2, line 19, of said bill, after "endowment", insert "care"

Amendment No. 19

On page 2, line 20, of said bill, after "SEC.", strike out "8", and insert "15".

Amendment No. 20

On page 2, line 23, of said bill, after "endowment", insert "care"; and strike out "irre-".

Amendment No. 21

On page 2, line 24, of said bill, strike out "ducible"; and after "endowment", insert "care".

Amendment No. 22

On page 2, line 25, of said bill, after "ment", insert "care"

Amendment No. 23

On page 2, line 27, of said bill, after "endowment", insert "care".

Amendment No. 24

On page 2, line 32, of said bill, after "SEC.", strike out "9", and insert "16".

Amendment No. 25

On page 2 of said bill, strike out lines 34 to 43, inclusive, and insert "ment care shall be invested and the income only used for the endowment care of the cemetery in accordance with the provisions of law and the resolutions, by-laws, rules and regulations or other actions or instruments of the cemetery authority and for no other purpose. Endowment care funds shall be maintained separate and distinct from all other funds and the trustee shall keep separate records thereof.

SEC. 17. Section 8726.1 is added to the Health and Safety Code to read:

8726.1. The trustee of the endowment care fund shall create a reserve from which principal losses may be replaced by setting aside a reasonable percentage of the income from the fund.

SEC. 18. Section 8727 of the Health and Safety Code is hereby repealed.

SEC. 19. *Section 8728 of the Health and Safety Code is amended to read:*

8728. The cemetery authority may from time to time adopt plans for the general care, maintenance, and embellishment of its cemetery, and charge and collect from all subsequent purchasers of plots such reasonable sum as, in the judgment of the cemetery authority, will aggregate a fund, the reasonable income from which will [perpetually] provide care, maintenance, and embellishment."

Amendment No. 26

On page 2, line 44, of said bill, after "SEC.", strike "11", and insert "20".

Amendment No. 27

On page 2, line 47, of said bill, after "ment", insert "care".

Amendment No. 28

On page 2, line 48, of said bill, after "agreement", strike out "perpetually to", and insert "to use the income from such endowment care fund for the".

Amendment No. 29

On page 3, line 1, of said bill, after "SEC." strike out "12", and insert "21".

Amendment No. 30

On page 3, line 4, of said bill, after "endowment", insert "care".

Amendment No. 31

On page 3, line 5, of said bill, after "him", insert "to use the income from such fund".

Amendment No. 32

On page 3, line 7, of said bill, after "SEC.", strike out "13", and insert "22".

Amendment No. 33

On page 3, line 10, of said bill, after "endowment", insert "care".

Amendment No. 34

On page 3, line 13, of said bill, after "SEC.", strike out "14", and insert "23".

Amendment No. 35

On page 3, line 15, of said bill, after "endowment", insert "care".

Amendment No. 36

On page 3, line 19, of said bill, after "SEC.", strike out "15", and insert "24".

Amendment No. 37

On page 3, line 21, of said bill, after "endowment", insert "care".

Amendment No. 38

On page 3, line 22, of said bill, after "endowment", insert "care".

Amendment No. 39

On page 3, line 26, of said bill, after "SEC.", strike out "16", and insert "25. Section 8734 of said code is hereby repealed

SEC. 26 "

Amendment No. 40

On page 3, line 27, of said bill, strike out "a", and insert "an".

Amendment No. 41

On page 3, line 28, of said bill, after "endowment", insert "care".

Amendment No. 42

On page 3, line 31, of said bill, after "endowment", insert "care".

Amendment No. 43

On page 3, line 32, of said bill, after "SEC.", strike out "17", and insert "27".

Amendment No. 44

On page 3, line 33, of said bill, after "endowment", insert "care".

Amendment No. 45

On page 3, line 36, of said bill, after "endowment", insert "care"

Amendment No. 46

On page 3, line 42, of said bill, after "SEC.", strike out "18", and insert "28".

Amendment No. 47

On page 3, line 44 of said bill, after "endowment", insert "care".

Amendment No. 48

On page 3, line 46, of said bill, strike out "in the instruments creating the trust"

Amendment No. 49

On page 3, line 50, of said bill, after "SEC.", strike out "19", and insert "29".

Amendment No. 50

On page 3, line 51, of said bill, after "endowment", insert "care".

Amendment No. 51

On page 3, line 52, of said bill, strike out "deposit", and insert "have deposited"; and after "endowment", insert "care"

Amendment No. 52

On page 4, line 1, of said bill, strike out "out of", and insert "at the time of or not later than completion of".

Amendment No. 53

On page 4, line 11, of said bill, after "endowment", insert "care".

Amendment No. 54

On page 4, line 12, of said bill, strike out "twenty", and insert "ten".

Amendment No. 55

On page 4, line 13, of said bill, strike out "$20", and insert "$10".

Amendment No. 56

On page 4, line 14, of said bill, after "endowment", insert "care".

Amendment No. 57

On page 4, line 16, of said bill, after "endowment", insert "care".

Amendment No. 58

On page 4, line 17, of said bill, after "endowment", insert "care".

Amendment No. 59

On page 4, line 20, of said bill, after "SEC.", strike out "20", and insert "30. *Section 8738.1 is added to said code to read:*

8738.1. In addition to the requirements of Section 8738 any endowment care cemetery hereafter established shall also have deposited in its endowment care fund the additional sum of twenty-five thousand dollars ($25,000) before disposing of any plot or making any sale thereof.

SEC. 31."

Amendment No. 60

On page 4, line 21, of said bill, after "non", insert "endowment".

Amendment No. 61

On page 4, line 22, of said bill, strike out "deposit", and insert "have deposited"; and after "endowment", insert "care".

Amendment No. 62

On page 4, line 24, of said bill, after "SEC.", strike out "21", and insert "32".

Amendment No. 63

On page 4, line 26, of said bill, after "endowment", insert "care".

Amendment No. 64

On page 4, line 28, of said bill, after "endowment", insert "care".

Amendment No. 65

On page 4, line 31, of said bill, after "non", insert "endowment"; and strike out "lettering equivalent to", and insert "legible black lettering at least four inches high"

Amendment No. 66

On page 4, line 32, of said bill, strike out "a minimum of 48-point black type."

Amendment No. 67

On page 4, line 35, of said bill, after "non", insert "endowment"; and strike out "equivalent".

Amendment No. 68

On page 4 of said bill, strike out line 36, and insert "of a size and style to be approved by the State Cemetery Board."

Amendment No. 69

On page 4, line 37, of said bill, after "SEC.", strike out "22", and insert "33".

Amendment No. 70

On page 4, line 38, of said bill, after "endowment", insert "care".

Amendment No. 71

On page 4, line 45, of said bill, after "endowment", insert "care".

Amendment No. 72

On page 4, line 47, of said bill, after "endowment", insert "care".

Amendment No. 73

On page 4 of said bill, strike out lines 49, 50, and 51

Amendment No. 74

On page 5 of said bill, strike out lines 1 to 13, inclusive, and insert
"SEC. 34. Section 8742 of said code is hereby repealed."

Amendment No. 75

On page 5, line 14, of said bill, after "SEC.", strike out "24", and insert "35".

Amendment No. 76

On page 5, line 15, of said bill, after "non", insert "endowment"; and after "cemetery", insert "or the State Cemetery Board".

Amendment No. 77

On page 5, line 19, of said bill, after "sign", insert "with lettering of a size and style to be approved by the State Cemetery Board".

Amendment No. 78

On page 5, line 21, of said bill, after "non", strike out the hyphen, and insert "endowment care."

Amendment No. 79

On page 5 of said bill, strike out line 22.

Amendment No. 80

On page 5, line 23, of said bill, strike out "not an", and insert "a non"; and after "endowment", insert "care".

Amendment No. 81

On page 5 of said bill, strike out lines 25 and 26.

Amendment No. 82

On page 5, line 27, of said bill, after "SEC.", strike out "25", and insert "36".

Amendment No. 83

On page 5, line 30, of said bill, after "non", insert "endowment".

Amendment No. 84

On page 5, line 31, of said bill, after "non", insert "endowment".

Amendment No. 85

On page 5, line 32, of said bill, after "non", insert "endowment".

Amendment No. 86

On page 5 of said bill, strike out line 33, and insert "shall be of a size and style to be approved by the State Cemetery Board

SEC. 37. Section 8747 is hereby added to said code to read:

8747. It shall be unlawful for a cemetery authority, its officers, employees or agents, or a cemetery broker or salesman to represent that an endowment care fund or any other fund set up for maintaining care is perpetual or permanent."

Amendment No. 87

On page 5, line 34, of said bill, after "SEC.", strike out "26", and insert "38".

Amendment No. 88

On page 5, line 35, of said bill, after "endowment", insert "care".

Amendment No. 89

On page 5, line 36, of said bill, after "only", insert "for the reserves authorized by law and".

Amendment No. 90

On page 5 of said bill, strike out lines 37, 38, and 39, and insert "for the endowment care of the cemetery in accordance with the resolutions, by-laws, rules and regulations or other actions or instruments of the cemetery authority

SEC. 39. Section 8751.1 is hereby added to said code to read:

8751.1. In addition to the requirements of Section 8751, the funds may be invested and reinvested and kept invested in investments of the type and in the manner as provided in Section 2261 of the Civil Code."

Amendment No. 91

On page 5, line 40, of said bill, after "SEC.", strike out "27", and insert "40".

Amendment No. 92

On page 5, line 42, of said bill, after "endowment", insert "care fund".

Amendment No. 93

On page 6, line 3, of said bill, after "SEC.", strike out "28", and insert "41".

Amendment No. 94

On page 6, line 6, of said bill, after the first "endowment", insert "care"; and after the second "endowment", insert "care".

Amendment No. 95

On page 6 of said bill, beginning with line 9, insert

"SEC. 42. Section 9000 of said code is amended to read:

9000. The trustees may, upon a two-thirds vote, establish and create a fund to be known as "the [perpetual] *endowment* care fund," and for this purpose may set aside, use, and apply from any unexpended funds such sum as in the judgment of the trustees may be necessary or expedient to provide for the [perpetual] *endowment* care of the burial lots in the cemetery and for this purpose may receive property by grant, gift, devise, or any other method.

SEC. 43. Section 9001 of said code is amended to read:

9001. No part of the tax levy shall be used for the [perpetual] *endowment* care fund.

SEC. 44. Section 9005 of said code is amended to read:

9005. All money received from the income of the fund shall be deposited in the county treasury of the county in which the cemetery is situated, in the [perpetual] *endowment* care fund. This fund shall be expended solely for the purpose specified upon warrants issued by the county auditor on orders signed by not less than two of the trustees.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 4, line 47, of the printed bill, strike out "regulation four-year college", and insert "regular four-year college or university".

Amendment No. 2

On page 4, line 49, of said bill, strike out "A.B. or B.S.", and insert "bachelor of arts or bachelor of science".

Amendment No. 3

On page 5, line 1, of said bill, after "trainee", insert "or the equivalent as determined by the department".

Amendment No. 4

On page 5, line 3, of said bill, strike out "college with a degree of A.B. or B.S.", and insert "a college or university maintaining standards equivalent, as determined by the department, to those institutions accredited by the American Association of Universities with a degree of Bachelor of Arts or Bachelor of Science".

Amendment No. 5

On page 5, line 6, of said bill, after "trainee", insert "or the equivalent as determined by the department".

Amendment No. 6

On page 5, line 9, of said bill, after "university", insert "or college".

Amendment No. 7

On page 5, line 11, of said bill, after "school", insert "or the equivalent as determined by the department".

Amendment No. 8

On page 5, line 12, of said bill, strike out "or trainee", and insert "trainee or the equivalent as determined by the department".

Amendment No. 9

On page 5, line 15, of said bill, after "university", insert "or college".

Amendment No. 10

On page 5, line 18, of said bill, after "hours", insert "or equivalent quarter hours".

Amendment No. 11

On page 5, line 23, of said bill, strike out "1956", and insert "1957".

Amendment No. 12

On page 5, line 24, of said bill, after "university", insert "or college".

Amendment No. 13

On page 5, line 47, of said bill, strike out "1956", and insert "1957".

Amendment No. 14

On page 7, line 47, of said bill, strike out "license", and insert "licensed".

Amendment No. 15

On page 8, line 44, of said bill, strike out the period, and insert "; provided, however, that when the applicant is a city, county, or city and county, or official thereof, no fee shall be required."

Amendment No. 16

On page 10 of said bill, strike out lines 15 and 16, and insert
"1321. Licenses or permits may be denied for any reason applicable to revocation and suspension of licenses or permits."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1621—An act to add Section 718 to the Vehicle Code, relating to penalties for violation of weight restrictions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, before line 1, insert
"*SECTION 1. Section 718 is added to the Vehicle Code, to read:*"

Amendment No. 2

On page 1, line 5, of said bill, strike out "2,000", and insert "two thousand".

Amendment No. 3

On page 1, line 7, of said bill, strike out "1,000", and insert "thousand".

Amendment No. 4

On page 1, line 9, of said bill, strike out "1,000", and insert "thousand".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 248 and 182 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 369 and 1216 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3126 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos. 797, 380, 1004, 1586, 1587, and 2088 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 592—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—George D Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 594—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman,

Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1112—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1916—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 166—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 167—An act to amend Sections 14702 and 14722 of the Education Code, relating to district retirement salary plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr. Speaker—58.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 168—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 169

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 169, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 169

Assembly Bill No. 169—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO 3, March 16, 1951

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol
Sacramento, California

DEAR MR. OHNIMUS: I am enclosing a letter dated March 8th, received from Meda Abbott, together with her enclosure of "California Love Song", for your consideration.

Sincerely,

FRANK M. JORDAN, Secretary of State

Above transmitted enclosure ordered referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 89

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant on the proper fund in favor

of the following Member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
56	Glenard P. Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	$44 70

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 89, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 816—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Caldecott, Evans, Cloyed, and Stanley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 816.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—68

NOES—George D. Collins and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1114—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Myers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

IN CHAMBERS, MUNICIPAL COURT
CITY OF LOS ANGELES, March 16, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. COLLINS: Our court has prepared statements in support of all of the legislation which has been introduced on our behalf. We believe that these statements may be helpful to you when the bills come up for consideration.

We are enclosing herewith a copy of these statements and hope that you will keep it for future reference.

Sincerely yours,

F. RAY BENNETT, Chairman
Legislative Committee

Above transmitted statements ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1693—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1988—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9616, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; and to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 59 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 59 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Elections and Reapportionment.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1036—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1211—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1214—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1146—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas and Tomlinson—71

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2082

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2082—An act to add Section 1142 to the Revenue and Taxation Code, relating to the taxation of vessels.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Vessels shall be assessed in the same proportion of"; strike out lines 4 to 9, inclusive, and insert

"Every vessel of more than 50 gross tons register, whose home port of registry, enrollment, or license is in California, engaged in commercial deep-sea fishing operations and not exempt from taxation by Section 4 of Article XIII of the Constitution of this State, shall be taxed at a rate not exceeding 10 percent of the rate on other tangible personal property fixed by the taxing agency in the jurisdiction in which the vessel is assessed

The tax on the vessel shall otherwise be assessed, equalized, levied, and collected in the same manner as taxes on tangible personal property generally."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 33—Relative to the illnesses of His Excellency, Honorable Earl Warren, Governor of the State of California, and his daughters, Nina and Dorothy;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of March, 1951, at 11 a m.

BURKE, Chairman

RECESS

At 11.30 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20	Assembly Bill No. 700
Assembly Bill No. 125	Assembly Bill No. 701
Assembly Bill No 126	Assembly Bill No 861
Assembly Bill No 128	Assembly Bill No. 1007
Assembly Bill No. 130	Assembly Bill No 1008
Assembly Bill No. 259	Assembly Bill No. 1057
Assembly Bill No. 390	Assembly Bill No. 1078
Assembly Bill No. 472	Assembly Bill No 1268
Assembly Bill No. 527	Assembly Bill No 1269
Assembly Bill No 653	Assembly Bill No 1701
Assembly Bill No. 698	Assembly Bill No. 2715
Assembly Bill No. 699	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cloyed:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 35303, 35307, and 35311 of, and to add Section 35303.1 to, the Government Code, relating to the annexation of territory by cities

Respectfully submitted,

RALPH R. CLOYED

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Cloyed:

An act to amend Sections 35303, 35307, and 35311 of, and to add Section 35303 1 to, the Government Code, relating to the annexation of territory by cities.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Motion carried. Time, 1.31 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Coats, Collier, George D. Collins, Connolly, Davis, Dolwig, Dunn, Evans, Fleury, Gaffney, Hinckley, Kilpatrick, Levering, Lincoln, Lowrey, Lyon, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Thomas, and Waters—30.

Further Proceedings Under Call of the Assembly Dispensed With on Request by Mr. Cloyed to Introduce Bill

At 1.40 p.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted to Mr. Cloyed to introduce a bill by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3381: By Mr. Cloyed—An act to amend Sections 35303, 35307, and 35311 of, and to add Section 35303.1 to, the Government Code, relating to the annexation of territory by cities.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 24: By Messrs. Lowrey and Clarke—Relative to assistance in continuing availability of trained manpower in agricultural aviation.

Referred to Committee on Rules.

MEMBER EXCUSED

At 1.45 p.m., Mr. Dills asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused for the balance of the legislative day because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2065—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Section 6301.5 to, the Education Code, relating to school district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 90

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone & Telegraph Co. (tolls)	$234 65
The Pacific Telephone & Telegraph Co. (service, equipment and tolls)	76.06
H. S Crocker Co., Inc. (supplies)	9 30
Department of Finance (supplies)	48.07

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 90, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1035—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths, and marriages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1037—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1038—An act to repeal Section 7413, to amend Section 7405, and to add Section 7413 to the Health and Safety Code, relating to burial permits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1210—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2412—An act to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.10 p.m., Mr. Waters asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the Post Office, at this time Subject: The subcommittee report relative to the contested election of Mr. Parker.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 86

By Mr. Smith:

House Resolution No. 86

Relating to the Golden Jubilee Anniversary of Glendale High School

WHEREAS, Glendale High School has completed its first 50 years of secondary educational service to the youth of the State of California, developing scholarship, industry and athletic abilities in the student bodies, as well as an appreciation of the arts; and

WHEREAS, This occasion of the Fiftieth Anniversary is being marked by a week's program of alumni visits, social gatherings and historical revues, with the cooperation and guidance of students, alumni and faculty; now, therefore, be it

Resolved by the Assembly of the State of California, That the Principal of Glendale High School, the faculty and the Superintendent of the Board of Education of the Glendale Unified School District, and the Glendale High School Alumni Association be commended for the outstanding contribution made to the welfare of the people of the State of California, and be commended for the endless personal sacrifices so necessary for the success they have brought to their school, our State and our Nation; and be it further

Resolved, That the Clerk of the Assembly transmit forthwith suitable copies of this resolution to the Principal of Glendale High School, to the Superintendent of the Board of Education of Glendale Unified School District, and to the Glendale High School Alumni Association.

Resolution read, and adopted unanimously.

Speaker Pro Tempore Presiding

At 2.14 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 586

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 586, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 586

Assembly Bill No. 586—An act to amend Sections 274, 275, and 285.3 of the Agricultural Code, relating to apiary inspection and equipment brands.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on January 23, 1951, strike out "and 285.3 of", and insert "276, and 285 3 of, and to add Section 275.5 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 26, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert "cages returning empty, unless each hive of bees, used equipment or appliance in the load, lot or shipment has been stamped with an indelible official stamp showing the state of origin and date of inspection, and unless each separate load, lot or shipment is accompanied by a valid certificate signed by the State Entomologist or State Apiary Inspector or comparable officer in charge of apiary inspection for the state of origin, certifying the following facts

(1) The name and address of the owner or shipper, the county of destination and method of transportation.

(2) The number of hives or nuclei containing bees, the number of used hives either empty or containing frames or combs, and a complete list of any other used beekeeping equipment in the shipment.

(3) The county and state of origin.

(4) The date on which inspection was last made of the apiary in which the bees, used hives and equipment originated.

(5) That such inspection was made at a time when sufficient brood was present to establish the actual presence or absence of disease.

(6) The total number of colonies in the apiary at the time of inspection, and the number of colonies found diseased.

(7) That all diseased colonies of bees found upon said inspection were destroyed prior to the issuance of the certificate.

(8) The dates of all prior inspections of said apiary within the two-year period immediately preceding the issuance of the certificate, together with the total number of colonies and the number of diseased colonies found upon each inspection, and a statement of the disposition of such diseased colonies, if known.

Each certificate required by this section shall be delivered by the person importing or transporting the bees or the used hives or appliances to the commissioner in the county of destination within forty-eight (48) hours of the arrival of the bees or used hives or appliances. No such certificate shall be valid longer than sixty (60) days after the last date of inspection of the apiary shown on the certificate, except that a certificate covering a shipment arriving prior to April 1 from a locality having severe winters shall be valid if it shows the last inspection of the apiary to have been made on or after September 15th of the preceding year."

Amendment No. 3

On page 2 of said bill, strike out lines 24 and 25, and insert

"Any shipment arriving in this State without an accompanying certificate shall be refused entry or destroyed at the option and expense of the owner or person in charge."

Amendment No. 4

On page 3 of said bill, strike out lines 1 to 4, inclusive, and insert

"SEC. 3. A new section is added to the Agricultural Code to read:

275.5. It is unlawful to place in any combless package of bees or queens, offered for sale or shipment, any food containing honey.

It is unlawful to ship any package bees and queens within the State unless the shipment is accompanied by a certificate of inspection showing that the bees from which such package bees and queens have been taken have been inspected and found free from disease."

Amendment No. 5

On page 3 of said bill, between lines 4 and 5, insert

"SEC. 4. Section 276 of the Agricultural Code is amended to read:

276. The commissioner shall, whenever he deems it necessary, make or cause to be made an inspection of any apiary within his jurisdiction. If any disease exists therein the inspector making the inspection shall plainly mark the hives containing diseased bees, and shall report his inspection and findings to the commissioner. The inspector shall destroy the diseased bees and the contents of the hives so marked on written consent signed by the owner or bailee in the manner hereinafter specified; or the commissioner shall in writing notify the owner or person in charge or in possession of such apiary, stating in the notice the nature of the disease found in each colony respectively, identifying such colony by reference to the mark placed upon the hive thereof, and ordering the eradication of such disease within a specified time. The notice may be served upon the person having possession or owning such diseased apiaries, personally or by registered mail to his last-known address. When the owner or person in charge or possession of any apiary is not known, the notice shall be served by posting in a conspicuous place in the apiary. Such person must eradicate such disease within a certain time specified in the notice. If the disease be American foulbrood the time specified in the notice shall not be less than 24 hours nor more than 48 hours from the time of serving the notice, and the eradication of said American foulbrood shall be by killing the bees in the hives and burning the diseased colonies, including the bees, combs, frames, honey, and wax, in a pit *or in an incinerator approved by the director*, burying the ashes no less than two feet below the surface of the ground and disinfecting by scorching the hives, bodies, bottom boards, cover, and supers associated therewith."

Amendment No. 6

On page 3, line 5, of said bill, strike out "3", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3184

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3184, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3184

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 16—Relative to the immigration of Basque sheepherders pursuant to Public Law 587 of the Eighty-first Congress.

Resolution read.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr Conrad is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the adoption of Senate Joint Resolution No. 16.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Conrad's remarks are not germane to the question

Ruling by Speaker

Speaker pro Tempore ruled the point of order not well taken.

Demand for Previous Question

Messrs. Caldecott, Silliman, Lindsay, Kirkwood, and Dolwig demanded the previous question

Demand for previous question sustained.

The question being on the adoption of Senate Joint Resolution No. 16.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—61

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3184

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3184, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3184

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 16, 1951, insert "The total amount paid on account of all such memberships shall not exceed one hundred dollars ($100) for any school during any school year"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 126
Senate Bill No. 433
Senate Bill No. 476
Senate Bill No 479
Senate Bill No. 544
Senate Bill No. 545
Senate Bill No. 1218

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 126—An act to amend Section 1203(b) of the Penal Code, relating to probation and misdemeanor cases.

Referred to Committee on Judiciary.

Senate Bill No. 433—An act to amend Section 1182 of the Penal Code, relating to the making of an application for a new trial.

Referred to Committee on Judiciary.

Senate Bill No. 476—An act to amend Section 1203.4 of the Penal Code, relating to probation.

Referred to Committee on Judiciary.

Senate Bill No. 479—An act to amend Section 1203.7 of the Penal Code, and to amend Section 633 of the Welfare and Institutions Code, relating to the membership of the Board of Corrections.

Referred to Committee on Judiciary.

Senate Bill No. 544—An act to amend Section 103a of the Code of Civil Procedure, relating to justice court clerks.

Referred to Committee on Judiciary.

Senate Bill No. 545—An act to amend Section 103¾ of the Code of Civil Procedure, relating to clerks.

Referred to Committee on Judiciary.

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Subcommittee on Elections and Reapportionment, relative to the contested election of Mr. Parker, be ordered printed in the Journal, in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn.)

MOTION

Mr. Waters moved that the contests be dismissed which have concerned Messrs. Parker, Henderson, and McGee, relative to their election, and that they be officially recognized as being seated as Members of the Assembly.

Mr. Doyle seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—69.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Tomlinson asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the motion by Mr. Waters, and that he be recorded as voting "Aye."

APPRECIATION EXPRESSED

Messrs. McGee, Henderson, and Parker expressed their appreciation of the action just taken by Members of the Assembly, and individually commended the personnel of the three subcommittees, and the main Committee on Elections and Reapportionment, for fair and impartial consideration during deliberations.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 566

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 566, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 566

Assembly Bill No. 566—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser,

Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Fleury:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 683.2 to the Civil Code, relating to interests in property.

Respectfully submitted.

GORDON A. FLEURY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Fleury:

An act to add Section 683.2 to the Civil Code, relating to interests in property.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3382: By Mr. Fleury—An act to add Section 683.2 to the Civil Code, relating to interests in property.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that today is the birthday of the Hon. Earl Warren, Governor of California.

In tribute to the Governor, the quartet composed of Messrs. Dills, Evans, Rumford, and Sergeant-at-Arms Ogg, sang the song "Happy Birthday To You."

REQUEST FOR UNANIMOUS CONSENT THAT AUTHOR BE PERMITTED TO SET BILLS FOR HEARING

Mr Coats asked for unanimous consent that he be permitted to set certain bills for hearing before the Committee on Elections and Reapportionment tomorrow, Tuesday, March 20th, without the usual three day notice.

Mr. Geddes withheld unanimous consent.

Point of Order

Mr. McCollister arose to the following point of order: That, as there is nothing before the House, the discussion between Messrs. Waters and Coats is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Waters asked for, and was granted, unanimous consent that the Committee on Elections and Reapportionment be permitted to use the Assembly Chamber on Tuesday evening, March 20th, at 8 p.m., for the purpose of considering bills pertaining to the reapportionment of assembly, congressional, and senate districts.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and Republican Caucus at Hart's Restaurant at 7.30 a.m., tomorrow morning, Tuesday, March 20th.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

Respectfully submitted.

LAUGHLIN E. WATERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Waters:

An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen

Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3383: By Mr. Waters (At the request of Messrs. Gaffney, Rosenthal, Brady, Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Stewart)—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Closed meeting of Military Affairs, in Room 426. Subject: Defense and Military Questions

Subcommittee on Agriculture, in Room 320. Subject: Fairs and Expositions.

At 8 p.m.—

Finance and Insurance, in Room 432.

Today upon adjournment—

Rules, in Room 320.

Ways and Means, in Room 435

Subcommittee on Public Utilities and Corporations, in Room 432. Subject: Senate Bill No. 327.

Tomorrow, Tuesday, March 20th, at 8 p.m.—

Elections and Reapportionment, in Assembly Chamber. Subject: Reapportionment bills relative to assembly, congressional and senate district reapportionment.

It was announced that no meeting will be held today of the main Committee on Public Utilities and Corporations.

LETTER OF TRANSMITTAL AND REPORT OF SUBCOMMITTEE ON ELECTIONS AND REAPPORTIONMENT

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, March 19, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Submitted herewith is the third and final report of the subcommittees assigned to investigate contested elections.

It is the recommendation of your Committee on Elections and Reapportionment that this report be approved and that Mr. Howard Q. Parker be confirmed as a member of this body.

Respectfully submitted,

LAUGHLIN E. WATERS, Chairman
Committee on Elections and
Reapportionment

REPORT OF SUBCOMMITTEE OF STANDING COMMITTEE ON ELECTIONS AND REAPPORTIONMENT IN THE MATTER OF THE ELECTION CONTEST OF JOHN P. SPAENHOWER, CONTESTANT, AND AGAINST HOWARD Q. PARKER, CONTESTEE

On January 8, 1951, John P. Spaenhower of Stockton filed with the Chief Clerk of the Asesmbly a verified statement contesting the election of Howard Q. Parker, as Member of the Assembly from the Eleventh Assembly District, San Joaquin County. The statement of contest alleged that Mr. Spaenhower and Mr. Parker were the duly elected Republican and Democratic candidates respectively for the office of Assemblyman for the Eleventh District, San Joaquin County, in the November, 1950 general election. It was alleged that certain fraudulent and corrupt practices were engaged in by the supporters of Mr. Parker in connection with the alteration and changing of the official endorsement pamphlets of the California Labor League for Political Education, a political affiliate of the American Federation of Labor in California and that such fraudulent practices deceived and influenced the voters of the Eleventh District with the result that Mr. Parker was elected by the plurality of 291 votes. The statement of contest prayed that the Assembly refuse to permit said Howard Q. Parker to take the oath of office and that it be referred to a duly and regularly constituted committee of the Assembly for proper investigation.

Thereafter and pursuant to appointment by Assemblyman Laughlin E. Waters, Chairman of the standing Committee on Elections and Reapportionment, the subcommittee, consisting of Assemblymen Burke, Burkhalter, Coats, Hinckley, and Tomlinson, as Chairman, met on January 10th and considered the said verified statement of contest and, after full discussion participated in by a member of the Legislative Counsel's staff, recommended to the full cmmittee that the said statement contained sufficient grounds to warrant further and formal investigation. The committee also determined that the statement was not frivolous.

On January 17th, a subcommittee met with the contestant, contestee, and their respective counsel. The parties were advised of the rules of procedure previously adopted by the Assembly pursuant to House Resolution No. 31, following which the respective parties were invited to make an opening statement as to the facts expected to be proved in support of and in opposition to the statement of contest. At the conclusion of such statement, the subcommittee deliberated and concluded that a further hearing should be conducted and evidence introduced, whereupon January 22d, at the hour of 9 o'clock, was determined upon as the date and time of hearing, to be held at the State Capitol.

On Tuesday, January 22d, the committee convened at the hour of 9 a.m., and proceeded to hear testimony from 31 witnesses, and received in evidence numerous documentary exhibits.

At the hour of 10.10 p.m. of the same day, the committee concluded the hearing of testimony, and upon deliberation found the following facts to be true:

1. That John P. Spaenhower and Howard Q. Parker were, at the direct primary election of 1950, duly elected as the nominees of the Republican and Democratic parties respectively.

2. That John P. Spaenhower was, on the twenty-eighth day of August, 1950, duly endorsed for the office of Assemblyman of the Eleventh Assembly District by the San Joaquin County Labor League for Political Education, a local affiliate of the California Labor League for Political Education, which was the state-wide organization for political action of the American Federation of Labor, in California.

3. That on July 31, 1950, and on September 25, 1950, the San Joaquin County Labor League for Political Education refused to endorse Howard Q. Parker for the office of Assemblyman.

4. That prior to the general election of November 7, 1950, the California Labor League for Political Education caused to be published and widely distributed among members of organized labor throughout the State of California an illustrated, colored leaflet containing the endorsees of the League for federal and state offices.

5. That the leaflet as originally published and distributed throughout the State and San Joaquin County included the endorsement of John P. Spaenhower for the office of Assemblyman, Eleventh District.

6. That on or about October 30, 1950, the Muldowney Printing Company of Stockton "overprinted" 2,000 of said leaflets by imprinting thereon the words "Write in—C. M. Weber" in the space therein provided for endorsements of candidates for State Senate offices.

7. That on or about the first day of November, 1950, the said 2,000 overprinted leaflets were delivered to E. George Kaufman.

8. That E. George Kaufman was then, and had been, active in the campaign of Howard Q. Parker.

9. That Phoebe Roberts was employed by the committee for the election of C. M. Weber, candidate for State Senate, San Joaquin County, and subsequent to the election, Mrs. Roberts married the said E. George Kaufman.

10. That several days before the election, the Stockton Printing Company, a commercial printing firm of Stockton, "overprinted" approximately four thousand of the leaflets by striking out with line type

the figures and words "11—John P Spaenhower" and adding the figures and words "11—Howard Q. Parker" at the top and bottom of the column in said leaflet containing the names of endorsees for the various offices of State Assembly; on approximately one-half of the leaflets "overprinted" by the said printing firm, the figures and words "20 Write in—C. M. Weber" were added to the column of said leaflet containing endorsees for State Senate; approximately one-half of the said leaflets so "overprinted" by said Stockton Printing Company contained the "overprinting" previously made by the Muldowney Printing Company.

11. That the said "overprint" job was referred to Robert Wilson of the Stockton Printing Company by Carmen Pareno, of the commercial printing firm of Pareno & Vitek, Stockton.

12. That Robert Wilson, for his firm, Stockton Printing Company, mailed a bill for $40 to E George Kaufman, and Mr. Wilson subsequently discussed the matter of payment with Mr. Kaufman; that Kaufman did not deny the charge, but indicated that he would arrange for payment.

13. That on Saturday, November 4th, Sunday November 5th, and Monday, November 6th, the "overprinted" or altered leaflets were distributed in the City of Stockton by Phoebe Roberts and E. George Kaufman.

14. That prior to commencing the job of "overprinting" of said leaflets, Albert Wilson communicated by telephone with Howard Q. Parker, explained the proposed job to him, and received from Mr. Parker a complete disclaimer of responsibility for the job.

15. That the distribution of said altered leaflets came to the attention of Mrs. Myrtle Emmett, the person in charge of the Stockton Democratic Headquarters, on Saturday, November 4th, whereupon strenuous efforts were made by Mrs. Emmett and others to recover any and all leaflets that had been so distributed

16 That it was the concensus of opinion of persons associated with and active in the Democratic campaign in San Joaquin County and in the Eleventh Assembly District that the alteration and distribution of the altered LLPE leaflets was detrimental to the campaign of Howard Q. Parker.

17. That it was the concensus of opinion of numerous officials of various Railroad Brotherhood organizations and other local union organizations that the alteration and distribution of the leaflets was detrimental to the candidacy of Howard Q. Parker, and that many voters changed from Parker to Spaenhower on account thereof.

18 That the endorsement of John P Spaenhower by the San Joaquin LLPE was not concurred in by all local unions officially or by all of the membership of such unions.

19. That the *Stockton Labor Journal*, an official AFL publication of the Central Labor Council and Building and Construction Trades Council of San Joaquin County, in its issue of Friday, November 3, 1950, covered "local" LLPE endorsements, including that of John P. Spaenhower for State Assembly, Eleventh District; that said publication was distributed by mail and other means to members of labor organizations in San Joaquin County, including the Eleventh Assembly District. That

the same issue of the *Stockton Labor Journal* contained at least two political advertisements wherein the endorsement of John P Spaenhower by the San Joaquin County LLPE was prominently displayed.

20. That John P Spaenhower and Howard Q. Parker, in a telephone conversation on Sunday, November 5, 1950, discussed the matter of the altered leaflets, and an understanding or agreement was reached between them that nothing further was to be done or said concerning the matter.

21. That no authority, express or implied, for the alteration or distribution of said spurious leaflets was given or granted by Howard Q. Parker, or any officer or person in authority of the American Federation of Labor, the San Joaquin Labor League for Political Education, or the San Joaquin County Democratic Central Committee, with the exception of E. George Kaufman, who was then a member of said San Joaquin County Democratic Central Committee

From the foregoing facts, the subcommittee concludes that the unauthorized alteration of the official campaign leaflets of the California Labor League for Political Education was done with the fraudulent and corrupt intent of deceiving and misleading the voters of the Eleventh Assembly District, San Joaquin County, and particularly those voters who would rely, to any extent, upon the leadership of the American Federation of Labor or the San Joaquin Labor League for Political Education as to the qualifications of candidates endorsed by such organizations. The subcommittee further concludes that the "overprinting" and alteration of the said leaflets was done with the full knowledge and approval of E. George Kaufman and others who were disgruntled on account of the prior official endorsement of John P Spaenhower, the Republican candidate. The subcommittee further concludes that the candidacy of John P Spaenhower was not seriously affected by the distribution of the said leaflets particularly in view of the fact that his endorsement by organized labor through the LLPE was prominently displayed in the official labor newspaper of San Joaquin County which was distributed to members of organized labor on the same days that the spurious leaflets were distributed, and it is the opinion of the subcommittee that the alteration and distribution of said leaflets adversely affected and damaged the candidacy of Howard Q. Parker.

The subcommittee is of the further opinion that, although it would ordinarily have been proper for a candidate upon learning of the distribution of such altered leaflets, to have publicly repudiated and denounced such conduct, under the circumstances, Howard Q. Parker was apparently lulled into silence through his conversation with Mr. Spaenhower, and hence acted in good faith in not making such public announcement.

The subcommittee is of the opinion that the testimony before the committee of E. George Kaufman and Mrs. Phoebe Roberts, now Kaufman, was grossly unsatisfactory, and that particularly in the instance of Mr. Kaufman that there are good grounds to believe that certain of his testimony was wilfully and deliberately false.

In making its findings of fact and drawing its conclusions therefrom, the subcommittee feels it necessary to condemn and denounce the

political knavery, fraud, and corrupt action engaged in by the persons responsible for the alteration and distribution of the official leaflets of the political affiliate of the largest and strongest labor organization in this State, and to condemn the flagrant attempt to steal and appropriate the official political endorsement of such a large and respected labor organization of the candidate of its choice. No candidate, however innocent he may be of participation in such fraudulent practices, should be permitted to enjoy the fruits of such conduct and hold a public office gained by such methods. However, as in this case, where it is made to appear that the result of the election was not changed by reason of such unethical and reprehensible practices, it would not be just to deprive the victorious, but innocent candidate of his office. The subcommittee is of the further opinion that (1), means should be provided, through appropriate legislation, for (2) the summary removal from membership on any official political committee, such as the county or state central committees, of any person or persons responsible for the perpetration of such political improprieties as occurred in San Joaquin County in the last general election campaign, and (3) the punishment of the perpetration of such improprieties as a criminal offense. Until such time as practices of the sort engaged in the latter part of this Assembly campaign are brought up with a "tight hitch", there can be no honor in elections, and the public cannot be expected to accept any candidate for public office at face value, but instead can be expected to view them with suspicion and as men and women not above reproach.

It is, therefore, recommended that the election contest of John P. Spaenhower be dismissed, and that Howard Q. Parker be confirmed as the Assemblyman for the Eleventh Assembly District, San Joaquin County.

Respectfully submitted

STANLEY T. TOMLINSON, Chairman
ARTHUR W. COATS, JR.
STEWART HINCKLEY
EVERETT G. BURKHALTER
MONTE A. BURKE

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to John Hayduk of Los Angeles.

On request of Messrs. Munnell and Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. J. E. Butler of Montebello.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Iris Kinyoun of Venice and Gertrude E. Farren of Los Angeles.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth S. Porter, Mrs. Carley V. Porter, and Carl Porter of Compton.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Miss Sharon Robertson, Miss Diane Shaw, and Mrs. Leila Shaw of Ontario.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Walter Bennett, Mrs. Dorothy Smith, Penny Smith, Barbara Bennett, and Marilyn Requa of Los Angeles.

On request of Mr. Parker, the usual courtesies of the Assembly for this day were unanimously extended to J. Shannon and J. Smyth, teachers, and the following pupils of the Edison High School of Stockton: Royce Sappenfield, Jo Anne Grimshaw, Jane Mizuno, Bob Vigario, John Wolfe, Pat Comstock, Barbara Ratelle, Robert LeBeouf, Dalores Braga, John Taylor, Donald Allen, Janice Welch, Bill Phillips, Richard Martinez, Wanda Day, Kenon Carter, Nancy Martinez, Betty Sevve, Sandra Silva, Loretta Ulmer, Bobbie Harp, Ralph Aguilak, Melba Valentine, Grace Delaney, Glenn Moore, Deanna Daclan, and Dosie Juanitas.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Florence Lowe, Mrs. Edna Schaeffer, Mrs. Audrey Heim, William Pinto, William Johnson, Harold Klein, and John McIntosh, teachers, and the following pupils of the Manteca School: Eddie Abatangle, Carole Adams, Charles Anderson, Betty Badalamenti, Leonard Bates, Glenda Bishop, Charlotte Boil, Velma Brazil, Donnie Brietenbucher, Teddy Bristow, Blanche Brokaw, Anna May Butts, Norman Butts, Magdalena Cabrera, Quirino Cabrero, Elvira Calderon, Frankie Calderon, Jerry Candini, Karen Candini, Jerry Callander, Carmen Cardinal, Josophine Catalano, Barbara Chamberlain, Jo Anne Close, Carol Costa, Edward Costanzi, Bob Crom, Bobby Daniels, Lucille DeRose, David Eavenson, Glodine Erford, David Fells, Pat Filbin, George Foster, Rodney Fusch, Robert Geringer, Anna Marie Gutierrez, Jerry Hampton, Betty Hildebrand, Dwayne Howze, Marilyn Jarnagin, Beverly John, Wayne Johnson, Dorene Knolls, Al Laffranchini, Larry Lagier, Nadean Lauritson, Gail Lawson, Richard Limas, Barbara Lowe, Betty Major, Stuart McAlary, Billy McDaniel, Jack McMahon, Lowell Moore, Melvin Morey, Eddie Morley, Donna Morton, Dora Mundt, Billy Myers, Jeanne Morse, Doris Oliveira, Betty Paine, Bobby Payan, Alex Pasckeicz, Joyce Piccinini, Nancy Powers, Wayne Price, Sally Pollino, Melvin Raggio, Mable Rains, Mac Raney, Ralph Resendez, Joe Richardson, Rose Anne Richardson, Louie Rose, Hilda Schliess, Dolores Schneider, Darlene Sealey, Virginia Selser, Phyllis Sevedge, Darlene Silva, Jackie Smith, Kent Smith, Ronald Smith, Stanley Smith, Phyliss Spair, Jerry Stafford, Kathryn Summers, Marjorie Swain, Betty Taber, Josephine Tarantino, Frankie Thomas, Sotero Villannena, Robert Waldvogel, Richard Wells, Carolyn Whiteley, Elsie Whittington, Dolores Wiggin, Phillip Woodard, Tonni Woods, Tommy Yarbrough, and Betty Jean Youngman.

On request of the Los Angeles County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert E. G. Harris and a group of students from U. C. L. A.

including Mohammed K. Roashan, Warren J. Heyse, Nicholas M. Devereux, Robert J. C. Cosgrove, and Martin Weinberger.

Mohammed K. Roashan is an honor, exchange, Foreign Student from Afghanstan.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Chester Main, Ivan Rose, Dan Crawford, Pete Bergeman, Bill Shepard, Bill Ganger, Lou Drager, and Floyd A. Boyd of Tulelake.

On request of Messrs Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Miss Holmes, leader, Miss Miller and Mrs. Saadeh, assistants, of Girl Scout Troop No. 182, the following mothers: Mrs. Waldon, Mrs. Silvy, Mr Renner, Mrs. Roth, Mrs Vaughn, Mrs. Souza, Mrs. Cregan, Mrs George, Mrs. Haury, Mrs. Somerville, Mrs. McMullan, Mrs. Blacow, Mrs. Andersen, and Mrs. Haury; and the following scout members: Juanita Waldon, Joyce Silvy, Judith Renner, Louise Roth, Dottie Mae Vaughn, Sandra Soza, Catherine Cregan, Carlene George, Marta Haury, Elinor Somerville, Vivian McMullan, Joan Blacow, Gail Anderson, and Marta Haury.

On request of Mr Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Anita Cerletti and Patricia Falkenberg, teachers, and the following students of Napa High School: Joe Rodriguez, Maris Anderson, Giliana Ghisleta, Eleanor Rekula, Katie Prince, John Oliver, Margaret McMaster, Kenneth Judah, Fred Kock, John Bradly, Elaine LeVan, Gene Sparks, Marla Miller, George Williams, Patsy Chapman, Jim Hie, Nancy Wallace, Eileen Rondom, Barbara Heminger, Carol Grasteit, Nancy Leonore, Roy Northern, David Floyd, Patsy Proctor, Evalyn Jones, Jim Doty, Donna Laidlaw, Martin Benson, Ruth Erickson, Dorothy Stephenson, Jo Anne Paofili, Bob Brooke, Betty Jones, Jerry Snyder, Helen Schmidtpott, Edward Avila, Gene Gadbury, Susan Sallé, Gene Yarbrough, Betty Wagner, Jimmie Williamson, Bob Price, Ronald Shroyer, Cora Tompkins, Maureen McFarren, Nancy Paulson, Virginia Spencer, Ernest Newcomb, Ricky Wheeler, Roger Warnock, Gay Wade, Jeannette Thibaut, Carol Atkins, Ken Marshall, Rosetta Dyer, Mickey Shields, Rubye Lee Harbin, and Barbara Gurrey.

On request of Mr. Berry, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charlotte Coffer and Mrs. Minnie Webb of Sacramento.

On request of Messrs Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Kathryn Morris, Mrs. Fonda Farrell, leaders of the *Lu ta May cha, Campfire Group* of the *Newton Booth School*, and the following members: Janice Yenovkian, Judy Ishihara, Susan Peterson, Jill de Rosier, Janet White, Brenda Woodyard, Sally Nardi, Carolyn Cole, Sharon Farrell, Sharon Gibson, Carolyn Fong, Carolyn Morris, Celeste Poroshin, and Catherine Daugherty.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jean Portman, Mrs. M Pendergast, Mrs. S. Alexander, Leaders, *Brownie Troop* No. 12,

Sierra School, and the following Brownies: Joan Muramoto, Rosemarie Perrault, Connie Vilardia, Pat Lawlor, Ann Belyea, Kathy Barnum, Marilyn Snaider, Barbara McGrew, Peggy Pendergast, Margaret Balch, Jean Alexander, Pat Pendergast, Sue Portman, and Billie Jean Hunger.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Florence Johnson, teacher, Mrs Schernberg, mother and the following pupils of the Marmichael Seventh Day Adventist School: Nancy King, Sharon Worsly, Lana Schomberg, Lucille Couperns, Patty Butler, Bonnie Lammerding, Carolyn Scott, Ilene Maynard, Lois Jensen, Constance Coleman, Linda Ethridge, Donna Colbaugh, Cynthia Canendar, Joan Chapman, Joyce Chapman, George Graham, John Ross, Danny Steward, Danny Runkle, Ronald Conn, Eldon Brandenberg, David Uyeyama, Newell Hubbard, Melvin Sage, Richard Moore, Gerald Darling, Florence Hale, and Vyrlene Priehe.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Leo Cherbak and Mrs. Percy Lawyer of Ontario.

ADJOURNMENT

At 2.55 p m., on motion of Mr. McCollister, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Tuesday, March 20, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 20, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

March 20, 1951

Almighty and Eternal God, Father of All Nations, Creator and Preserver of Mankind, we assemble again in Thy Holy sight. Within these hallowed precincts, we seek Thy presence and Thy guidance. Help us lift our labor out of the realm of the ordinary, so that we may see opportunities for service in that which otherwise would be drab routine. Grant us Thy presence throughout this day that we may live without strain, face our problems without fear, meet our temptations without dishonor, bear our burdens without complaint.

"Spirit divine, attend our prayers,
And make this house Thy home:
Descend with all Thy gracious powers,
O come, great Spirit, come!"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Munnell.
Mr. Butters, on motion of Mr. Munnell.
Mr. Grunsky, on motion of Mr. Hansen.
Mr. Condon, on motion of Mr. Hagen.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3184

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESIGNATION ANNOUNCED

Speaker Sam L. Collins announced the resignation of Mr. Butters from membership on the Committee on Elections and Reapportionment because of illness.

APPOINTMENT ANNOUNCED

Speaker Sam L. Collins announced that he will serve as a member of the Committee on Elections and Reapportionment, vice Mr. Butters, until such time as Mr. Butters has recovered from his illness and desires to be reappointed to membership on said committee.

Speaker Pro Tempore Presiding

At 10.07 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 143	Assembly Bill No. 659
Assembly Bill No. 234	Assembly Bill No. 1823
Assembly Bill No. 243	Assembly Bill No. 1825
Assembly Bill No. 244	Assembly Bill No. 1827
Assembly Bill No. 367	Assembly Bill No. 2182

Has had the same under consideration and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 242	Assembly Bill No. 1822
Assembly Bill No. 1178	Assembly Bill No. 1824

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 6
Assembly Bill No. 365
Assembly Bill No. 366
Assembly Bill No. 1177
Assembly Bill No. 2620

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2026
Assembly Bill No. 2664

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 828
Assembly Bill No. 829

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 127
Assembly Bill No. 129
Assembly Bill No. 131
Assembly Bill No. 1844

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 25: By Messrs. Dunn, Kirkwood, Berry, Clarke, Kelly, Kilpatrick, Lowrey, and Rumford—Relative to continuing federal support for vocational education.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 20

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 20, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 20

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 472

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 472, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 472

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code.

Bill read third time.

Motion to Temporarily Suspend the Rules

Presuming that Assembly Bill No. 472 carries an implied appropriation Mr. Geddes moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 472 without being re-referred to the Committee on Ways and Means, at this time.

Motion died for lack of a second.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 20 AND 472 BE RE-REFERRED TO COMMITTEE

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bills Nos. 20 and 472 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 527

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 527, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 527

Assembly Bill No. 527—An act to amend Section 20205, relating to the State Employees' Retirement System.

Bill read third time.

Point of Order

Mr. Beck arose to the following point of order: That Assembly Bill No. 527 carries an implied appropriation and is not properly before the House as it should be re-referred to the Committee on Ways and Means prior to consideration.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 527.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1057

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1057, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1057

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—68.

NOES—None.

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Hollibaugh arose to the following point of order: That the hour of 10.30 a.m. having arrived, the special order, consideration of the Budget Bill, is properly before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken, but honored the request of Mr. Sherwin that action be delayed for two minutes for the purpose of permitting members of the press to reach their desks in the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 259

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 259, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 259

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "1950," insert "and providing for the reimbursement of the State Highway Fund,".

Amendment No. 2

On page 1, line 1, of said bill, after "the", insert "State".

Amendment No. 3

On page 1 of said bill, between lines 9 and 10, insert

"The California Toll Bridge Authority shall return this appropriation, or so much thereof as may used, to the State Highway Fund from the proceeds of the first sale of revenue bonds issued for the construction of said bridge or other crossing under the provisions of the California Toll Bridge Authority Act; provided, that in the event revenue bonds are not issued and sold for the construction of such toll bridge or other toll highway crossing, any money expended hereunder shall be returned to the State Highway Fund in the State Treasury from the tolls and revenues of the existing San Francisco-Oakland Bay Bridge, but only after all revenue bonds issued and sold by the California Toll Bridge Authority for the construction of said bridge, or for the refunding of the indebtedness thereon, have been fully redeemed and paid and all other obligations of the bridge have been fully satisfied, including the repayment of any other sums presently required by law to be repaid to the State Treasury. The California Toll Bridge Authority is hereby authorized to continue to fix and collect tolls on said bridge for the purpose of reimbursement of the State Highway Fund as required by this proviso."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, and Tomlinson—69

NOES—None

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Hollibaugh arose to the following point of order: That the special order, Assembly Bill No. 500, should be considered at this time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 500 was taken up.

Assembly Bill No. 500—An act making appropriations for the support of the State of California and several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time

Speaker Presiding

At 10 40 a m., Hon Sam L. Collins, Speaker of the Assembly, presiding.

Motion

Mr. Lowrey moved that consideration of Assembly Bill No. 500 be postponed, at this time.

Mr. Kilpatrick seconded the motion.

Roll Call Demanded

Messrs. Lowrey, Sherwin, and Dills demanded a roll call.

The roll was called, and the motion by Mr. Lowrey to postpone consideration of the Budget Bill, Assembly Bill No. 500, carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Thomas—52

NOES—Burke, Caldecott, Collier, George D Collins, Conrad, Fleury, Gaffney, Gubser, Hinckley, Kirkwood, Lanterman, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, and Tomlinson—18.

Speaker Pro Tempore Presiding

At 10.51 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 91

Relative to the publication of the Constitutions of the United States and of the State of California and other historical documents and information

WHEREAS, It is essential that the children of this Nation should be instructed in the principles of Americanism; and

WHEREAS, The information necessary to build a firm knowledge of the principles of good government may be obtained through the study of the Constitution of the United States, the Constitution of the State of California, and other historical documents of the Nation and State; and

WHEREAS, Since such a course of study is required in the schools of the State, it has been customary for many years that the Legislature provide for the printing and free distribution of the Constitution for the use of students and others especially interested in the study of civics; and

WHEREAS, The last edition of the Constitution as compiled and printed by the Assembly is now exhausted, and there are a great number of requests for copies of this publication; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby directed to compile, revise, and have published a volume similar to those previously issued by the Assembly containing information of an educational nature pertaining to the Legislature of the State of California, together with the Constitutions of the United States and the State of California and other historical documents and information; and be it further

Resolved, That the Chief Clerk is hereby authorized to distribute such publication on request of Members of the Assembly and to others properly entitled thereto; provided that no member receive more than 50 copies; and be it further

Resolved, That the cost of compilation and printing of this publication be charged to and payable from the Legislative Printing Fund.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 91, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—68

NOES—None

ANNOUNCEMENTS

Mr. Dickey announced that the hearing on Assembly Joint Resolution No. 22 had been delayed before the Committee on Rules, stated the reason for this delay, and stated that the committee passed this resolution out of committee this morning.

Mr. Dickey announced that a notation will be made in the File as a reminder to all state departments, and other groups represented here, that notices of bills set for hearing will not be mailed, but that interested parties must watch the File for all information pertaining to the setting of bills for hearing.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 698—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Hansen, Lindsay, Gubser, Meyers, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 698.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—Burkhalter and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 700—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Smith, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

Motion That Assembly Bill No. 701 Be Re-referred to Committee

Mr. Doyle moved that Assembly Bill No. 701 be re-referred to the Committee on Transportation and Commerce.

Mr. Lowrey seconded the motion.

Motion Withdrawn

Mr. Lowrey withdrew his second.

Mr. Doyle withdrew his motion.

The question being on the passage of the bill.

Assembly Bill No. 701 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1268

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1268, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1268

Assembly Bill No. 1268—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.27 a.m., Hon. Richard H McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1269

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1269, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1269

Assembly Bill No. 1269—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 861—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—69

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus upon recess, today, at the Hotel Sacramento

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 32—Approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the eleventh day of April, 1950

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twentieth day of March, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1541
Assembly Bill No. 1621
Assembly Bill No. 2082

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.35 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.40 p m

REASSEMBLED

At 1.40 p.m., the Assembly reconvened.

Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 586
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 831
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No. 19
Assembly Joint Resolution No. 24
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No 22
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 34
And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER Your Committee on Rules, to which were referred:
Assembly Joint Resolution No 19
Assembly Joint Resolution No 22
Has had the same under consideration, and reports the same back with the recommendation Be adopted

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Rules, to which was referred:
Assembly Joint Resolution No 24
Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Bill No. 1218

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 83

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 898	Assembly Bill No. 331
Assembly Bill No. 1887	Assembly Bill No. 332
Assembly Bill No. 327	Assembly Bill No. 333
Assembly Bill No. 329	Assembly Bill No. 335

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 991
Assembly Bill No. 992
Assembly Bill No. 1676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 323
Assembly Bill No. 324
Assembly Bill No. 325
Assembly Bill No. 326
Assembly Bill No. 328
Assembly Bill No. 330
Assembly Bill No. 334
Assembly Bill No. 336
Assembly Bill No. 337
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 1886
Assembly Bill No. 1888
Assembly Bill No. 1920
Assembly Bill No. 2516
Assembly Bill No. 2518
Assembly Bill No. 2820
Assembly Bill No. 3107
Assembly Bill No. 3108

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2522
Assembly Bill No. 2823

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 45
Assembly Bill No. 822

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 72

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 1313

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 75
Assembly Bill No. 3155
Assembly Bill No. 69
Assembly Bill No. 70
Assembly Bill No. 68

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 64
Assembly Bill No. 3207

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ABSENCE OF QUORUM SUGGESTED

Mr. Kirkwood suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Kirkwood moved a call of the Assembly.

Motion carried. Time, 1.45 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Sam L. Collins, Crowley, Davis, Dills, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hinckley, Kilpatrick, Lowrey, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, and Thomas—39.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 1.54 p.m., on motion of Mr. Kirkwood, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Babbage, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Erwin, Geddes, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Morris, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—42.

Quorum present.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1701—An act to amend Section 533 of the Vehicle Code, relating to school busses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—49.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1008

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1008, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1008

Assembly Bill No. 1008—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Waters—47.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1844—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code, and to add Section 1028 to the Probate Code, relating to the taxation of property which has escheated or been distributed to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—53.

NOES—George D. Collins and Hagen—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 17

Senate Joint Resolution No. 17—Relative to memorializing the Congress of the United States immediately to appropriate such funds as may be necessary for national civil defense for the guidance of the states in making available matching funds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

Respectfully submitted.

WILLIAM H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rosenthal:

An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3384: By Mr. Rosenthal—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Moss:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

JOHN E. MOSS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Moss:

An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3385: By Mr. Moss: (At Request of Mr. Fleury)—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of

Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.10 p.m., Mr. Waters asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the Cloak Room, at this time. Subject: Discussion. No bills will be considered.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 836 HOLD PLACE ON FILE

Mr. Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 836 be passed on file, and hold its place on file on the next legislative day.

BILL WITHDRAWN FROM INACTIVE FILE AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 629, on request of Mr. Erwin.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 701 HOLD PLACE ON FILE

Mr. Belotti asked for, and was granted, unanimous consent that Assembly Bill No. 701 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Mr. Kelly asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 22, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 22

Assembly Joint Resolution No. 22—Relative to continuing the 27½ percentage depletion rate for oil producing properties in the Internal Revenue Code.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Silliman, Smith, Stewart, Thomas, and Tomlinson—46.

NOES—None.

Resolution ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills No. 831 and 1541 re-referred to the Committee on Public Health

Assembly Bill No. 1621 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2082 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 586 re-referred to the Committee on Agriculture.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p m.—

Public Health, in Room 426.
Social Welfare, in Room 430.

At 4 30 p.m.—

Joint Committee on Old Age Assistance Initiative, in Room 432.

At 8 p.m.—

Fish and Game, in Room 426.
Judiciary, in Room 435.
Elections and Reapportionment, in Assembly Chamber.

Today upon adjournment—

Agriculture, in Room 432.

Tomorrow, Wednesday, March 21st, at 9 30 a.m.—

Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Camille Warner of Sacramento.

On request of the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bea Aikin, Jr., Mrs. Harold Osborn, and the following Cubs, Pack 2, Den 4, Montclair District, Oakland: Bruce Osborn, Chad Dressler, Dale Phelan, Robert Hampton, John Noble, Tommy Nicholl, Ben Aikin III, and Lionel Aiken.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wilder Modine of Santa Paula.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold Green of Sacramento and the following members of Cub Scouts, Den 2, Pack 3112 of Riverside School of Sacramento; Tommy Green, Ronnie Cate, Roger Brondt, Clifford Mumford, Stephen Evans, and Gerald Stevenson.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Orland Joint Union School: Winifred Macey, Jackie Studebaker, Belva Ellsworth, Homer E. Ellsworth, James Ellsworth, and Dorothy M. Gordon.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to W. J. Worthington of Los Angeles.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Mrs M. B McCown, Mrs. Walter Clonts, E. P. Bond, Mrs. E. P. Bond, Mrs H. Bentley, Dorothy T. Bowe, Donald D Jameson of Santa Cruz, and the following pupils of the Scotts Valley Union School: Loye Bentley, Joyce Bond, Gladys Clonts, Jimmy Downing, Betty Fader, Billy Herbert, Howard Huston, Joanne Kofoed, Patsy Kofoed, Lorna La Porte, Roberta Matis, Kay McCown, Floyd Moser, John Mulkin, Donnell Patterson, Barbara Sleath, Charles Smith, Jo Anne Suess, Lucille Suess, Zora Taylor, Louis Van Brenk, Willa Weaver, and Joy Young.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Ralph Tuney, C. O. Romwall, Miss Alice Molliet, Mrs Dolly Dominguez, and Frank Dal Porto of Oakley, and the following pupils of the Oakley Union School: Harold Seale, Roger Ball, Joe Ribeiro, Joe Rodriguez, Leon Bevill, Erwin Osburne, Ernest Weder, Bob Beck, Bob Davis, Carl Smith, Frank Davis, Bill Sylvester, Patricia Wolfe, Eudene Hix, Judy Tuney, Geraldine Mathews, Doyle Rogers, Virginia Shrader, Billy McClendon, Alfred Silveira, Shirley Pennington, Leroy Clements, Lem Weder, Edith Lundsford, Billy Burton, Frank Andronica, John Johnson, Joe Devera, Helen Ames, Roy Bloodworth, Betty Warren, James Gaddis, Beulah Moss, Betty Reed, Gerald Skaggs, Bonnie Skaggs, Arthur Lyons, June McClelland, Rosalyn DeJesus, Corrine Jenner, Betty Tuney, Shirley Wright, Kay McCormack, Betty Gray, and Katherine Lane.

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Burke Riley and Michael and Timothy Riley of Chico.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Floyd Clouse, Marcia and Cheryl Clouse, and Jeffrey Kauffman of Sacramento.

On request of Mr Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Baptista and Sister Ethel Mary, teachers, and the following pupils of the Holy Names High School of Oakland: Claire Abacot, Arlene Albers, Barbara Albers, Lois Alvers, Mary Ann Bareilles, Sarah Barry, Virginia Beaudin, Lucy Bernal, Rosemary Betschart, Suzanne Brady, Margaret Brennan, Carole Callaghan, Gail Carpenter, Teddy Chlentzos, Corinne Christianson, Darlene Coulson, Barbara Cronin, Anna Crosetti, Katherine Curach, Marian Curach, Barbara Damele, Mary Theresa Davoren, Barbara DeAndre, Ruth Guevara, Patricia Harker, Patricia Hayes, Aileen Hegarty, Janet Jacobs, Annette Kearns, Kay Kelly, Sally Kennedy, Dolores Kimbrough, Marilyn Kinard, Mary Ann Klingler, Tede Korb, Eileen Lamb, Mary

Frances Lewis, Frances Madden, Ann Marie Mahrt, Patricia Malloy, Mary Kay Manning, Phyllis McConnell, Jeanne McInnis, Marilyn McLauchlin, Mary Ann McNamara, Kathleen O'Sullivan, Coleen Page, Josephine Parrinello, Marcia Patch, Eleanor Pearce, Diane Phillips, Jeanette Pillars, Frances Puhar, Doris Razzano, Patricia Rice, Rosemary Rice, Jeanne Roach, Elizabeth Roddy, Barbara Saur, Mary Evelyn Signer, Dolores Silva, Rae Smith, Marcia Sparks, LaVerne Spotorno, Gloria Stonehouse, Antoinette Strei, Delia Stretch, Ann Dolan, Martha Doyle, Loretta Duarte, Barbara Fraga, Rosemary Freuler, Michele Glavinovich, Beth Gray, Leila Miles, Jean Mulaskey, Dolores Nobilo, Genevieve Nolan, Draga Novak, Joan O'Connor, Jeanette Oliva, Mary Lou Taylor, Mary Tigh, Terry Towey, Virginia Valdivia, Carol Weger, Betty Wheeler, Mary Ann Wilson, Marian Wright and Joan Wilkerson.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Mildred Watson of Orange and Ralph E. Swing, former Senator from San Bernardino

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence De Ricco, teacher, and the following pupils of the Castle School: Dexter Kent, Virginia Bordenkircher, Jean Cardozo, and Mary Booth.

ADJOURNMENT

At 2.16 p.m., on motion of Mr. Dunn, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Wednesday, March 21, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 21, 1951

The Assembly met at 10 a m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

Almighty God, whom our fathers trusted, we thank Thee for the privileges of this new day We seek Thy blessing and direction upon all who are in places of responsibility

Clear our minds for the duties of this day Give us courage to change what ought to be changed, patience to bear what cannot be changed and wisdom to tell one from the other.

"I know not what the Future hath
Of marvel or surprise,
Assured alone that life and death
His mercy underlies.
And Thou, O Lord! by whom are seen
Thy creatures as they be,
Forgive me if too close I lean
My human heart on Thee."

In Jesus' name.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Munnell, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Davis.
Mr. Butters, on motion of Mr. Davis.
Mr. Grunsky, on motion of Mr. Davis.
Mr. Condon, on motion of Mr. Hagen.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 259

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 629 BE RE-REFERRED TO COMMITTEE

Mr. Erwin asked for, and was granted, unanimous consent that Assembly Bill No. 629 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Maloney, Lyon, and Sam L. Collins:

House Resolution No. 92

Congratulating Governor Warren upon his birthday anniversary

WHEREAS, On the nineteenth day of March, in the midst of his busy program conducting the affairs of State, our esteemed Governor, Earl Warren, is celebrating his sixtieth birthday anniversary; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly on behalf of the people of the State of California hereby congratulate Governor Warren and extend to him heartiest felicitations upon the anniversary of his birth; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Governor Earl Warren as an expression of the warmest regard in which the members hold him and of their good wishes on his birthday.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 92, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Kilpatrick:

House Resolution No. 93

Relative to the licensing of parking lots and the revenue derived therefrom

WHEREAS, The annual license revenue derived from 1,100 licensed parking lots in the City of Los Angeles is only $26,000, or about one-fourth of the total license revenue collected from other licensed businesses in that community; and

WHEREAS, It would appear that the sum mentioned is relatively incommensurate with the dollar magnitude of the parking lot business in the City of Los Angeles; and

WHEREAS, The revenue derived from the licensing of parking lots in the City of Los Angeles is far below the cost of the public services received by such lots; and

WHEREAS, It is fit and proper that all businesses should, by way of license fees or otherwise, pay an adequate compensation for public services rendered them; and

WHEREAS, The situation in the City of Los Angeles regarding parking lots may also exist elsewhere in the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on State and Local Taxation (created by House Resolution No 133 of the 1949 General Session) is hereby directed to hold hearings throughout the State of California, and particularly in the City of Los Angeles, for the purpose of investigating, ascertaining, and studying the facts regarding the licensing of parking lots and the revenue derived therefrom; and be it further

Resolved, That the committee submit a report to the Legislature containing its findings on such investigation and study, together with such recommendations for legislation on the subject as may seem necessary.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 141
Assembly Bill No. 41
Assembly Bill No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILLS NOS. 141, 41, AND 42 BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that the amendments proposed by the Committee on Elections and Reapportionment to Assembly Bills Nos. 141, 41, and 42 be ordered printed in the Journal, without action, at this time.

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 141

Assembly Bill No. 141—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 481 to", and insert "amend Section 480 of".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Senatorial".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "481 is added to", and insert "480 of".

Amendment No. 5

On page 1, line 1, of said bill, strike out the comma, and insert "is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"480. The State is divided into 40 senatorial districts, which shall be designated and constituted as follows:

1. The Counties of Modoc, Lassen and Plumas shall constitute the First Senatorial District.
2. The Counties of Del Norte and Siskiyou shall constitute the Second Senatorial District.
3. The County of Humboldt shall constitute the Third Senatorial District.
4. The Counties of Mendocino and Lake shall constitute the Fourth Senatorial District.
5 The Counties of Trinity and Shasta shall constitute the Fifth Senatorial District.
6. The County of Butte shall constitute the Sixth Senatorial District.
7. The Counties of Sierra, Nevada and Placer shall constitute the Seventh Senatorial District.
8. The Counties of Tehama, Glenn and Colusa shall constitute the Eighth Senatorial District.
9. The Counties of El Dorado[,] *and* Amador [and Alpine] shall constitute the Ninth Senatorial District.
10. The Counties of Yuba and Sutter shall constitute the Tenth Senatorial District.
11. The Counties of Napa and Yolo shall constitute the Eleventh Senatorial District.
12. The County of Sonoma shall constitute the Twelfth Senatorial District
13. The County of Marin shall constitute the Thirteenth Senatorial District.
14. The City and County of San Francisco shall constitute the Fourteenth Senatorial District.
15. The County of Solano shall constitute the Fifteenth Senatorial District.
16. The County of Alameda shall constitute the Sixteenth Senatorial District.
17. The County of Contra Costa shall constitute the Seventeenth Senatorial District
18. The County of Santa Clara shall constitute the Eighteenth Senatorial District
19. The County of Sacramento shall constitute the Nineteenth Senatorial District.
20. The County of San Joaquin shall constitute the Twentieth Senatorial District.
21. The County of San Mateo shall constitute the Twenty-first Senatorial District.
22. The County of Stanislaus shall constitute the Twenty-second Senatorial District.
23. The [County] *Counties* of Santa Cruz *and San Benito* shall constitute the Twenty-third Senatorial District
24. The Counties of Merced and Madera shall constitute the Twenty-fourth Senatorial District.
25. The [Counties] *County* of Monterey [and San Benito] shall constitute the Twenty-fifth Senatorial District
26. The Counties of Tuolumne, Mariposa and Calaveras shall constitute the Twenty-sixth Senatorial District
27. The County of Kings shall constitute the Twenty-seventh Senatorial District.
28. The Counties of *Alpine*, Mono and Inyo shall constitute the Twenty-eighth Senatorial District.
29. The County of San Luis Obispo shall constitute the Twenty-ninth Senatorial District.
30. The County of Fresno shall constitute the Thirtieth Senatorial District.
31. The County of Santa Barbara shall constitute the Thirty-first Senatorial District.
32 The County of Tulare shall constitute the Thirty-second Senatorial District.
33. The County of Ventura shall constitute the Thirty-third Senatorial District
34 The County of Kern shall constitute the Thirty-fourth Senatorial District.
35 The County of Orange shall constitute the Thirty-fifth Senatorial District.
36. The County of San Bernardino shall constitute the Thirty-sixth Senatorial District.
37 The County of Riverside shall constitute the Thirty-seventh Senatorial District
38. The County of Los Angeles shall constitute the Thirty-eighth Senatorial District.
39. The County of Imperial shall constitute the Thirty-ninth Senatorial District.
40. The County of San Diego shall constitute the Fortieth Senatorial District."

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 41

Assembly Bill No. 41—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 492 to", and insert "repeal existing Section 491 of, and to add new Section 491 to,".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Assembly".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "492 is added to", and insert "491 of".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ", to read:", and insert "is repealed"

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC 2 Section 491 is added to said code, to read

491 The State is divided into 80 assembly districts, which shall be designated and constituted as follows:

1. The Counties of Del Norte, Humboldt and Mendocino shall constitute the First Assembly District.

2. The Counties of Trinity, Shasta, Siskiyou, Modoc, Lassen, Plumas and Sierra shall constitute the Second Assembly District.

3 The Counties of Tehama, Glenn, Lake, Colusa and Yolo shall constitute the Third Assembly District

4. The Counties of Butte, Yuba and Sutter shall constitute the Fourth Assembly District.

5 The Counties of Napa and Solano shall constitute the Fifth Assembly District

6. The Counties of Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Inyo and Mono shall constitute the Sixth Assembly District.

7. The Counties of Sonoma and Marin shall constitute the Seventh Assembly District.

8. All that portion of the County of Sacramento bounded and described as follows

Commencing at the point of intersection of an extension of the center line of K Street in the City of Sacramento with the westerly boundary of the county; thence easterly along the center line of K Street to the center line of Alhambra Boulevard; thence southerly along the center line of Alhambra Boulevard to the center line of R Street; thence easterly along the extension of the center line of R Street to the center of the intersection of Fortieth Street with R Street; thence continuing easterly along the center line of R Street and an easterly extension of R Street to the easterly boundary of the City of Sacramento; thence northerly along the easterly boundary of said city to the intersection of said city boundary with the middle of the channel of the American River; thence easterly along the middle of the channel of the American River to the intersection of said river with the northerly boundary of the County of Sacramento; thence westerly along the northerly boundary of said county to the easterly boundary of said county; thence southerly along the westerly boundary of said county to the point of commencement, shall constitute the Eighth Assembly District

9. All that portion of the County of Sacramento not included in the Eighth Assembly District, as fixed and defined by this section, shall constitute the Ninth Assembly District.

10 All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Tenth Assembly District

11. All that portion of the County of Contra Costa not included in the Tenth Assembly District, as fixed and defined by this section, shall constitute the Eleventh Assembly District

12. The County of San Joaquin shall constitute the Twelfth Assembly District.

13. All that portion of the County of Alameda, described as follows:

All that portion of the County of Alameda lying southerly and easterly of a line described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro, thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East Fourteenth Street; thence northwesterly along the center line of East Fourteenth Street to the center line of Ninety-eighth Avenue; thence southwesterly along the center line of Ninety-eighth Avenue to the center line of the right of way of the Central Pacific Railway; thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence northeasterly along the center line of High Street to the center line of East Fourteenth Street; thence southeasterly along the center line of East Fourteenth Street to the center line of Sixty-ninth Avenue; thence northeasterly along the center line of Sixty-ninth Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of Ninety-eighth Avenue; thence northeasterly along the center line of Ninety-eighth Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Gold Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda, shall constitute the Thirteenth Assembly District.

14. All that portion of the County of Alameda, described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro; thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East Fourteenth Street; thence northwesterly along the center line of East Fourteenth Street to the center line of Ninety-eighth Avenue; thence southwesterly along the center line of Ninety-eighth Avenue to the center line of the right of way of the Central Pacific Railway; thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence southwesterly along the center line of High Street to the southwesterly boundary line of the City of Oakland; thence northwesterly along the southwesterly boundary line of the City of Oakland to an intersection with the direct extension southwesterly of the center line of Thirteenth Avenue; thence northeasterly along said direct extension and along the center line of Thirteenth Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the northerly boundary line of the City of Alameda; thence westerly along the northerly boundary line of the City of Alameda to an intersection with the westerly boundary line of the County of Alameda; and thence southeasterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fourteenth Assembly District.

15. All that portion of the County of Alameda described as follows:

Commencing at the point of intersection of the northeasterly boundary line of the County of Alameda with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the curvature thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont; thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly

corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of Thirteenth Avenue; thence continuing southwesterly along the center line of Thirteenth Avenue and along its direct extension southwesterly to the southwesterly boundary line of the City of Oakland; thence southeasterly along the southwesterly boundary line of the City of Oakland to the center line of High Street; thence northeasterly along the center line of High Street to the enter line of East Fourteenth Street; thence southeasterly along the center line of East Fourteenth Street to the center line of Sixty-ninth Avenue; thence northeasterly along the center line of Sixty-ninth Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of Ninety-eighth Avenue; thence northeasterly along the center line of Ninety-eighth Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township, thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda; and thence northwesterly along the northerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fifteenth Assembly District.

16 All that portion of Alameda County described as follows:

Commencing at the point of intersection of the easterly boundary line of the City of Berkeley with the northerly boundary line of the City of Alameda; thence southeasterly along the northeasterly boundary line of the County of Alameda to the point of intersection with the direct extension easterly of the center line of Park Boulevard, thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the meanders thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard, thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont, thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of Thirteenth Avenue; thence continuing southwesterly along the center line of Thirteenth Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the center line of Twelfth Street; thence northwesterly along the center line of Twelfth Street to the center line of Fallon Street; thence northeasterly along the center line of Fallon Street to the center line of Fourteenth Street; thence northerly and northwesterly along the center line of Fourteenth Street to the center line of Harrison Street; thence northeasterly along the center line of Harrison Street to the center line of Nineteenth Street; thence northwesterly along the center line of Nineteenth Street to the center line of Telegraph Avenue; thence northerly along the center line of Telegraph Avenue to the center line of Shattuck Avenue; thence continuing northerly along the center line of Shattuck Avenue to an intersection with the southerly boundary line of the City of Berkeley; and thence in a general easterly and northerly direction along the southerly and easterly boundary lines of the City of Berkeley to the point of commencement, shall constitute the Sixteenth Assembly District.

17 All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence easterly along said city boundary line to the center line of San Pablo Avenue; thence southerly along the center line of San Pablo Avenue to the center line of Dwight Way; thence easterly along the center line of Dwight Way to the center line of Grove Street; thence southerly along the center line of Grove Street to Derby Street; thence easterly to an intersection with the direct extension northerly of the center line of Shattuck Avenue, as said Shattuck Avenue exists south of Ward Street; thence southerly along said direct extension and along the center line of Shattuck Avenue to the center line of Telegraph Avenue; thence continuing southerly along the center line of Telegraph Avenue to the center line of Nineteenth Street; thence southeasterly along the center line of Nineteenth Street to the center line of Harrison Street; thence southwesterly along the

center line of Harrison Street to the center line of Fourteenth Street; thence southeasterly and southerly along the center line of Fourteenth Street to the center line of Fallon Street; thence southwesterly along the center line of Fallon Street to the center line of Twelfth Street; thence southeasterly along the center line of Twelfth Street to an intersection with the line separating Oakland Township from Brooklyn Township; thence southwesterly along the line separating Oakland Township from Brooklyn Township to the southwesterly boundary line of the City of Oakland; thence westerly along the southwesterly boundary line of the City of Oakland to the southwest corner thereof being on the westerly boundary line of the County of Alameda; and thence northwesterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Seventeenth Assembly District

18. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence northwesterly along the westerly boundary line of the County of Alameda to the northwest corner thereof; thence easterly and southeasterly along the northerly boundary line of the County of Alameda to the easterly boundary line of the City of Berkeley; thence in a general southerly and westerly direction along the easterly and southerly boundary lines of the City of Berkeley to the center line of Shattuck Avenue; thence northerly along the center line of Shattuck Avenue and along its direct extension northerly to the center line of Derby Street; thence westerly along the center line of Derby Street to the center line of Grove Street; thence northerly along the center line of Grove Street to the center line of Dwight Way; thence westerly to the center line of San Pablo Avenue; thence northerly to the intersection of San Pablo Avenue with the Berkeley-Albany line; thence westerly along the Berkeley-Albany line to the point of commencement, shall constitute the Eighteenth Assembly District.

19. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Moraga Street and the shoreline of the Pacific Ocean; thence along the center line of the following streets: Moraga to Lomita Avenue, Lomita Avenue to Aloha Avenue, Aloha Avenue to Fourteenth Avenue, Fourteenth Avenue to Moraga, Moraga to Seventh Avenue, Seventh Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Woodside Avenue, Woodside Avenue to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly along said shoreline to the center line of Moraga Street and the point of commencement, shall constitute the Nineteenth Assembly District.

20. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to Market, Market to Valencia, Valencia to Mission, Mission to Cortland Avenue, Cortland Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Silver Avenue, Silver Avenue to Quesada Avenue, Quesada to Quint, Quint to Oakdale Avenue, Oakdale Avenue to Third, Third to Islais; thence easterly along said Islais Street to the shoreline of the Bay of San Francisco; thence northerly and westerly along said shoreline to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center line of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to California, California to Arguello Boulevard, Arguello Boulevard to Geary Boulevard, Geary Boulevard to Point Lobos Avenue; thence westerly along Point Lobos Avenue to the shoreline of the Pacific Ocean, northerly along said shoreline to the shoreline of the Bay of San Francisco, easterly along said shoreline of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District

22. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Presidio Avenue with the center line of California Street; thence along the center lines of the following streets: Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to Portola Drive,

Portola Drive to Woodside Avenue, Woodside Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Seventh Avenue, Seventh Avenue to Moraga, Moraga to Fourteenth Avenue, Fourteenth Avenue to Aloha, Aloha Avenue to Lomita Avenue, Lomita Avenue to Moraga, Moraga to the shoreline of the Pacific Ocean; thence northerly along said shoreline to Point Lobos Avenue, Point Lobos Avenue to Geary Boulevard, Geary Boulevard to Arguello Boulevard, Arguello Boulevard to California, California to Presidio Avenue and the point of commencement, shall constitute the Twenty-second Assembly District

23 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Mission Street and the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shoreline of the Bay of San Francisco; thence northerly and westerly along said shoreline of the Bay of San Francisco to the center line of Islais Street, thence along the center lines of the following streets, Islais to Third, Third to Oakdale Avenue, Oakdale Avenue to Quint, Quint to Quesada Avenue, Quesada Avenue to Silver Avenue, Silver Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Cortland Avenue, Cortland Avenue to Mission, Mission to Valencia, Valencia to Seventeenth, Seventeenth to Market, Market to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, and the point of commencement, shall constitute the Twenty-third Assembly District

24. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Valencia Street with the center line of Seventeenth Street, thence along the center lines of the following streets Valencia to Market, Market to Mason, Mason to California, California to Presidio Avenue, Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to Seventeenth, Seventeenth to Valencia and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at a point where a line dividing the City and County of San Francisco and the County of San Mateo intersects the shoreline of the Pacific Ocean, and running thence easterly along said dividing line to the easterly boundary line of San Mateo County in San Francisco Bay; thence southeasterly along said easterly boundary line of San Mateo County to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M D.B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9, and 8 in said Township and Range to the Northwest corner of the Southwest quarter of Section 8 in said Township and Range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right-of-way line of the Southern Pacific Company; thence southeasterly along the northeasterly right-of-way line of said Southern Pacific Company to its intersection with the center line of Nineteenth Avenue (now or formerly County Road No. 16); thence southwesterly along the center line of said Nineteenth Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IV SM 2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton, et al, recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general northerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-fifth Assembly District.

26. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at the southwest corner, being the west corner of Santa Cruz County as established in Section 3952; thence on the northwestern line of Santa Cruz County as established in said section, to the southwestern line of Santa Clara County, being the summit line of the Santa Cruz Mountains; thence northwesterly by said summit line to the source of San Francisquito Creek; thence down the south branch thereof, and down said creek to its mouth; thence to a point in the middle of San Francisco Bay, opposite said mouth, forming a common corner of San Mateo, Santa Clara and Alameda Counties; thence in a direct line to a point in the center of ship channel in the Bay of San Francisco west of and opposite to Dumbarton Point; thence in a direct line to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M.D.B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9 and 8 in said township and range to the northwest corner of the southwest quarter of Section 8 in said township and range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right-of-way line of the Southern Pacific Company; thence southeasterly along the northeasterly right-of-way line of said Southern Pacific Company to its intersection with the center line of Nineteenth Avenue (now or formerly County Road No. 16); thence southwesterly along the center line of said Nineteenth Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IVSM2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton, et al., recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at Page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general southerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-sixth Assembly District.

27. The Counties of San Benito and Santa Cruz shall constitute the Twenty-seventh Assembly District.

28. All that portion of the County of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnew, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont Nos. 1 and 2, Fruitvale, Jefferson Nos. 1 and 2, Linda Vista Nos. 1 and 2, Los Altos Nos. 1 to 3, inclusive, Midway, Milpitas Nos. 1 and 2, Miramonte, Mount Hamilton Nos. 1 and 2, Mountain View Nos. 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos. 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos. 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos. 1 to 9, inclusive, San Tomas, Saratoga Nos. 1 and 2, Seale, Stanford Nos. 1 and 2 and Sunnyvale Nos. 1 to 4, inclusive, shall constitute the Twenty-eighth Assembly District.

29. All that portion of the County of Santa Clara not included in the Twenty-eighth Assembly District, as fixed and defined by this section, shall constitute the Twenty-ninth Assembly District.

30. The County of Stanislaus shall constitute the Thirtieth Assembly District.

31. The Counties of Merced and Madera shall constitute the Thirty-first Assembly District.

32. All that portion of the County of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue; southerly on Winery Avenue to McKinley Avenue; westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning, shall constitute the Thirty-second Assembly District.

33. All that portion of the County of Fresno not included in the Thirty-fourth Assembly District shall constitute the Thirty-third Assembly District.

34. The County of Monterey shall constitute the Thirty-fourth Assembly District.

35. The Counties of Kings and Tulare shall constitute the Thirty-fifth Assembly District.

36. The Counties of San Luis Obispo and Santa Barbara shall constitute the Thirty-sixth Assembly District.

37. The County of Ventura shall constitute the Thirty-seventh Assembly District.

38. All that portion of the County of Kern, bounded and described as follows:

Commencing at the northeast corner of Section 1, Township 25 South, Range 27 East, M. D. M., said northeast corner being a point on the north boundary line of the County of Kern, and running thence south along section lines 18 miles to the southeast corner of Section 36, Township 27 South, Range 27 East, M. D. M.; thence west along section lines 2 miles to the northwest corner of Section 2, Township 28 South, Range 27 East, M. D. M.; thence south along section lines 6 miles to the southeast corner of Section 34, Township 28 South, Range 27 East, M. D. M., said corner being on the Seventh Standard Parallel; thence east along said Seventh Standard Parallel to the northwest corner of Section 6, Township 29 South, Range 28 East, M. D. M.; thence south along the west line of said Section 6 to the southeast corner of said section; thence east along section lines to the northeast corner of Section 8, Township 29 South, Range 28 East, M. D. M.; thence south along the east line of said Section 8 to the southeast corner of said Section 8; thence west along the south line of said Section 8 to the southwest corner of said section; thence south along the east line of Section 18, Township 29 South, Range 28 East, M. D. M., to intersect the westerly extension of the south boundary of Monte Vista Drive; thence easterly on and along the said westerly extension and the south boundary of Monte Vista Drive to intersect the east boundary of Union Avenue; thence south along the east boundary of Union Avenue to intersect the south boundary of Bernard Street, thence west along the westerly extension of the south boundary of Bernard Street to intersect the center line of Union Avenue; thence south along the center line of said Union Avenue to intersect the center line of California Avenue, said intersection being a point on the corporate limits of the City of Bakersfield; thence westerly along the center line of said California Avenue and said corporate limits to the west boundary of Union Avenue; thence south along the west boundary line of Union Avenue and said corporate limits of the City of Bakersfield, to the north boundary line of Brundage Lane; thence continuing south along said west boundary line of Union Avenue to the center line of Brundage Lane, said center line being the north boundary line of Section 6, Township 30 South, Range 28 East, M. D. M.; thence east along the said center line to the northeast corner of said Section 6; thence south along section line 1 mile to the northwest corner of Section 8, Township 30 South, Range 28 East, M. D. M.; thence east along the north boundary line of said Section 8, to the center line of Lotus Lane; thence south along the center line of said Lotus Lane to the south boundary line of said Section 8; thence west along the south boundary line of said Section 8 to the northwest corner of Section 17, Township 30 South, Range 28 East, M. D. M.; thence south along the west boundary line of said Section 17, a distance of 1 mile to the southwest corner of said Section 17; thence east along the north boundary line of Section 20, Township 30 South, Range 28 East, M. D. M. to the center line of Garber Way; thence South along the center line of said Garber Way and extension thereof to the south boundary line of Section 20 of said township; thence west along the south boundary line of said Section 20 to the northwest corner of Section 29, Township 30 South, Range 28 East, M. D. M.; thence south along section lines 3 miles to the southeast corner of Section 6, Township 31 South, Range 28 East, M. D. M.; thence west along the south boundary line of said Section 6, 1 mile to the northwest corner of Section 7, Township 31 South, Range 28 East, M. D. M.; thence south along section lines 5 miles to the southwest corner of Section 31, Township 31 South, Range 28 East, M. D. M.; thence easterly along section lines 3 miles to the northeast corner of Section 4, Township 32 South, Range 28 East M. D. M.; thence south along section lines 6 miles to the southeast corner of Section 33, Township 32 South, Range 28 East, M. D. M., said corner being on the Eighth Standard Parallel; thence east along the Eighth Standard Parallel to the northeast corner of fractional Section 25, Township 12 North, Range 20 West, S. B. M.; thence south along section lines to the northwest corner of Section 18, Township 11 North, Range 19 West, S. B. M.; thence easterly along the north boundary line of said Section 18 to the northeast corner thereof; thence south along section lines 4 miles more or less to the southwest corner of Section 32, Township 11 North, Range 19 West, S. B. M.; thence east along the south boundary line of said Township 11 North, Range 19 West, S. B. M. to the southeast corner of said township; thence south along the southerly extension of the east boundary line of Township 11 North, Range 19 West, S. B. M., to intersect the easterly extension of the north boundary line of Township 9 North, Range 19 West, S. B. M.; thence east along the easterly extension of said north boundary line to intersect the northerly extension of the east boundary line of Township 9 North, Range 19 West, S. B. M.; thence south along the said east boundary line

and northerly extension of Township 9 North, Range 19 West, S. B. M to the southeast corner of Township 9 North, Range 19 West, S. B. M., being a point on the south boundary line of the County of Kern; thence east to the southeast corner of said County of Kern; thence north along the easterly boundary of said county to the northeast corner thereof; thence westerly along the northerly boundary of said county to the point of commencement, shall constitute the Thirty-eighth Assembly District.

39 All that portion of the County of Kern not included in the Thirty-ninth Assembly District, as fixed and defined by this section, shall constitute the Thirty-ninth Assembly District.

40 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly prolongation of the center line of Boylston Street and the center line of the Hollywood Parkway; thence southeasterly along the center line of said parkway to the center line of North Main Street; thence northeasterly along the center line of North Main Street to the center line of Alhambra Avenue; thence northeasterly along the center line of Alhambra Avenue and the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma) to the northerly prolongation of the center line of Daly Street; thence southerly along said prolongation and center line of Daly Street to the center line of Mission Road; thence northeasterly along the center line of Mission Road to the center line of Marengo Street; thence southeasterly along the center line of Marengo Street to the center line of Soto Street, thence northeasterly along the center line of Soto Street to the center line of Valley Boulevard, thence southeasterly along the center line of Valley Boulevard to the northerly prolongation of the center line of Indiana Street; thence southerly along said prolongation and center line of Indiana Street to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, lying at or near the intersection of the center lines of Medford and Indiana Streets; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly prolongation of the center line of McBride Avenue; thence southerly along said last mentioned prolongation, the center line of McBride Avenue and the southerly prolongation thereof, to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Eastern Avenue; thence southerly along the center line of Eastern Avenue to the center line of Blanchard Street, thence westerly along the center line of Blanchard Street to the center line of Brannick Avenue; thence southerly along the center line of Brannick Avenue to the center line of Folsom Street; thence westerly along the center line of Folsom Street to the center line of Hazard Avenue; thence northerly along the center line of Hazard Avenue to the center line of Dobinson Street; thence westerly and northwesterly along the center line of Dobinson Street to the center line of Geraghty Avenue; thence southerly along the center line of Geraghty Avenue to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Gage Avenue; thence southerly along the center line of Gage Avenue to the center line of Blanchard Street, thence westerly and northwesterly along the center line of Blanchard Street to the easterly boundary of the aforesaid city of Los Angeles; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Alameda Street, thence northerly along the center line of Alameda Street to the center line of Olympic Boulevard (from the northwest); thence northwesterly along the center line of Olympic Boulevard and northwesterly along the center line of 9th Street to the center line of Figueroa Street, thence northeasterly along the center line of Figueroa Street to the center line of 8th Street; thence northwesterly along the center line of 8th Street to the center line of Harbor Parkway; thence northeasterly along the center line of Harbor Parkway to the southeasterly prolongation of the center line of 6th Street, thence northwesterly along said prolongation and center line of 6th Street to the center line of Boylston Street; thence northerly along the center line of Boylston Street to the center line of Huntley Drive, thence easterly along the center line of Huntley Drive and the easterly prolongation thereof to the southwesterly prolongation of the center line of Boylston Street; thence northeasterly along said prolongation and center line of Boylston Street to the point of beginning, shall constitute the Fortieth Assembly District

41. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the County of Los Angeles, said corner lying on the northerly line of Section 4, Township 8 North, Range 19 West, S B.B & M.; thence easterly along the boundary of said county and following the same in all its various courses to the southerly line of Section 31, Township 3 North, Range 7 West, S B.B. & M; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 11 West, S B B. & M; thence northerly along the range line between Ranges 11 and 12 West, to the northeast corner of Section 1, Township 2 North, Range 12 West, S B B and M; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 13 West, S B B. and M; thence southerly along section lines to the southeast corner of Section 36, Township 3

North, Range 14 West, S B B. and M , thence westerly along section lines to the northwest corner of Section 4, Township 2 North, Range 14 West, S B.B. and M.; thence southerly along section lines to the northerly line of the Hansen Flood Control Basin; thence easterly along the northerly line of the Hansen Flood Control Basin, and following the same in all its various courses to the northerly prolongation of the center line of Clybourn Avenue; thence southerly along the northerly prolongation of the center line of Clybourn Avenue, and the centerline of Clybourn Avenue to the center line of Roscoe Boulevard, thence westerly along the center line of Rocoe Boulevard and its westerly prolongation to the center line of Whitsett Avenue; thence southerly along the center line of Whitsett Avenue to the center line of Cantara Street; thence westerly along the center line of Cantara Street to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue to the center line of the Southern Pacific Railroad Co.'s right of way (Coast Line) in Raymer Street; thence northwesterly along the center line of said right of way to the center line of Roscoe Boulevard; thence westerly along the center line of Roscoe Boulevard and along the prolongation of the most westerly portion thereof to the westerly boundary of the City of Los Angeles, as the same existed March 1, 1951; thence northerly along said westerly boundary of the City of Los Angeles to the northerly line of Fractional Section 34, Township 2 North, Range 17 West, S.B.B. and M.; thence westerly along section lines to the westerly boundary of the County of Los Angeles; thence northerly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the Forty-first Assembly District

42 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of Section 4, Township 2 North, Range 14 West, S.B B. and M ; thence easterly along section lines to an angle point in the northerly boundary of the City of Los Angeles as the same existed on March 1, 1951, located on the westerly line of Section 6, Township 2 North, Range 13 West, S.B B. and M ; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Scott Road; thence southerly along the center line of Scott Road to the center line of San Fernando Boulevard; thence southeasterly along the center line of San Fernando Boulevard to the westerly boundary of the City of Glendale as the same existed on the above date; thence southwesterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of Chevy Chase Drive; thence westerly along the center line of Chevy Chase Drive and the westerly prolongation thereof to the center line of the Los Angeles River, thence northerly along the center line of the Los Angeles River to the southerly line of Section 30, Township 1 North, Range 13 West, S.B.B and M ; thence westerly along section lines to the easterly boundary of the Rancho Ex Mission de San Fernando as shown on map recorded in Book 1, page 605 of Patents, in the office of the recorder of the County of Los Angeles; thence northerly along said easterly Rancho line to the westerly boundary of the City of Burbank as the same existed on the above date; thence northerly along the westerly boundary of the City of Burbank to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Coldwater Canyon Avenue; thence northerly along the center line of Coldwater Canyon Avenue to the center line of Cantara Street; thence easterly along the center line of Cantara Street to the center line of Whitsett Avenue, thence northerly along the center line of Whitsett Avenue to the westerly prolongation of the center line of Roscoe Boulevard; thence easterly along the westerly prolongation of Roscoe Boulevard, the easterly prolongation and center line of Roscoe Boulevard to the center line of Clybourn Avenue; thence northerly along the center line of Clybourn Avenue, Sunland Boulevard, Clybourn Avenue and the northerly prolongation thereof to the southeasterly boundary line of the Hansen Flood Control Basin; thence northeasterly along the boundary line of the Hansen Flood Control Basin, and following the same in all its various courses to the westerly line of the southerly prolongation of Fractional Section 9, Township 2 North, Range 14 West, S B B and M ; thence northerly along said prolongation and Section line to the point of beginning shall constitute the Forth-second Assembly District.

43. All that part of the County of Los Angeles within the following described boundaries.

Beginning at an angle point in the boundary of the City of Los Angeles as same existed March 1, 1951, on the northerly line of Section 34, Township 2 North, Range 14 West, S B B. and M , thence easterly along the boundary of said city to an angle point in said boundary at or near the southeast corner of the southwest one-quarter of Section 29, Township 2 North, Range 13 West, S B B and M.; thence easterly along section lines to a point in the northwesterly line of Tract No 10156 as shown on map recorded in Book 164, pages 1-2 of Maps, in the office of the Recorder of the County of Los Angeles; thence northeasterly along the northwesterly line of said tract and following the same in all its various courses to its first intersection with the boundary of the City of Glendale as same existed on above mentioned date; thence

southeasterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of San Fernando Boulevard; thence northwesterly along the center line of San Fernando Boulevard to the center line of Scott Road; thence northwesterly along the center line of Scott Road to the easterly boundary of the aforesaid City of Los Angeles; thence northerly along the boundary of said last-mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-third Assembly District

44. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of the City of Long Beach as same existed March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of said city at or near the northeasterly corner of 70th Street and Orange Avenue; thence due West to the center line of Orange Avenue; thence southerly along the center line of Orange Avenue to the center line of 4th Street; thence easterly along the center line of 4th Street to the center line of Cherry Avenue; thence southerly along the center line of Cherry Avenue to the center line of Ocean Boulevard; thence easterly along the center line of Ocean Boulevard to the center line of 16th Place; thence southerly along the center line of 16th Place and the southerly prolongation thereof to the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the northeasterly boundary of the City of Los Angeles as same existed on above mentioned date (Ostend Addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the City of Long Beach at or near the intersection of 223rd Street and Sperian Avenue; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-fourth Assembly District

45. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Glendale Avenue and Sunset Boulevard; thence southeasterly along the center line of Sunset Boulevard to the center line of Quintero Street; thence northeasterly along the center line of Quintero Street to the center line of Macbeth Street; thence northwesterly along the center line of Macbeth Street to the center line of Sutherland Street; thence northeasterly along the center line of Sutherland Street to the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6 of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof to the center line of Portia Street; thence northeasterly along the center line of Portia Street to the center line of Scott Avenue; thence northeasterly along the center line of Scott Avenue to the southwesterly prolongation of the center line of Elysian Park Drive; thence northeasterly along said prolongation and center line of Elysian Park Drive and following the same in all its various courses to the center line of Chavez Ravine Drive (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No. 37351 of the City of Los Angeles); thence northeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the southwesterly prolongation of the center line of Dallas Street; thence northeasterly along said last mentioned prolongation, the center line and northeasterly prolongation of the center line of said Dallas Street to the center line of the Official Bed of the Los Angeles River; thence southeasterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Granada Street; thence northeasterly along said last mentioned prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line); thence northwesterly along the southwesterly line of said right of way to its intersection with the southwesterly prolongation of the center line of Division Street, said point being near the southwesterly corner of Tract No. 3867 as shown on map recorded in Book 44, pages 20 and 21, of Maps in the office of the Recorder of the County of Los Angeles; thence northeasterly along said prolongation and center line of Division Street to the center line of Avenue 30; thence southeasterly along the center line of Avenue 30 to the center line of Bank Street; thence northeasterly along the center line of Bank Street to the center line of Isabel Street; thence southeasterly along the center line of Isabel Street and following the same in all its various courses to the center line of Amabel Street; thence southeasterly along the center line of Amabel Street to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 37; thence southeasterly along the center line of Avenue 37 to the center line of Arroyo Seco Avenue; thence northeasterly along the center line of Arroyo Seco Avenue to the center line of Marmion Way; thence northerly along the center line of Marmion Way and following the same in all its various courses to the northwesterly prolongation of the center line of that portion of Avenue 44 lying between Figueroa Street and Marmion Way;

thence southeasterly along said prolongation and center line of Avenue 44 to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 45; thence southeasterly along the center line of Avenue 45 to the westerly prolongation of the northerly Patent Boundary Line of the City of Los Angeles; thence easterly along said northerly Patent Boundary Line to the center line of Boundary Avenue; thence southerly along the center line of Boundary Avenue to the center line of Mercury Avenue; thence southwesterly along the center line of Mercury Avenue to the center line of Sardonyx Street; thence easterly along the center line of Sardonyx Street and following the same in all its various courses to the center line of Galena Street; thence southwesterly along the center line of Galena Street to the center line of Topaz Street; thence southeasterly along the center line of Topaz Street to the center line of Pacific Electric Railway right of way; thence northeasterly along the center line of said right of way and following the same in all its various courses to the center line of Eastern Avenue, thence southerly along the center line of Eastern Avenue to the center line of Lombardy Boulevard; thence southeasterly along the center line of Lombardy Boulevard and following the same in all its various courses to the center line of Endicott Street; thence southeasterly along the center line of Endicott Street and its southeasterly prolongation to the center line of Southern Pacific Railroad right of way (Main Line to Yuma); thence northeasterly along the center line of said last mentioned right of way and following the same in all its various courses to the easterly boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of said city to the center line of Hellman Avenue; thence easterly along the center line of Hellman Avenue to the center line of Fremont Avenue (from the southeast) as per County Surveyor's Map No 3623, on file in the office of the Surveyor of the County of Los Angeles; thence southeasterly along the center line of Fremont Avenue to the center line of Garvey Avenue; thence easterly and northeasterly along the center line of Garvey Avenue and following the same in all its various courses to the center line of Valley Boulevard; thence southeasterly along the center line of Valley Boulevard to the center line of the Official Bed of the San Gabriel River; thence southwesterly along the center line of said last mentioned river and following the same in all its various courses to the southeasterly prolongation of the center line of Siphon Road; thence northwesterly along the center line of said last mentioned prolongation and the center line of Siphon Road and San Gabriel Boulevard to the northeasterly prolongation of Lincoln Avenue; thence southwesterly along said last mentioned prolongation to the northeasterly boundary of the City of Montebello as same existed on above mentioned date; thence northwesterly and westerly along said last mentioned boundary, the center line of Pomona Boulevard, and the center line of Beverly Boulevard to an angle point in the westerly boundary of the City of Monterey Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Riggin Avenue; thence northwesterly along the center lines of Riggin Avenue and Brooklyn Avenue to the center line of Roscommon Avenue; thence northerly along the center line of Roscommon Avenue to the center line of Floral Drive; thence westerly along the center line of Floral Drive, its westerly prolongation thereof, and the center line of Floral Drive to the southerly prolongation of the center line of McBride Avenue; thence northerly along said last mentioned prolongation, the center line of McBride Avenue and northerly prolongation thereof to the boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Indiana Street; thence northerly along the center line of Indiana Street and its northerly prolongation thereof to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Soto Street; thence southwesterly along the center line of Soto Street to the center line of Marengo Street; thence northwesterly along the center line of Marengo Street to the center line of Mission Road; thence southwesterly along the center line of Mission Road to the center line of Daly Street; thence northerly along the center line of Daly Street and the northerly prolongation thereof to the center line of Alhambra Avenue; thence westerly along the center line of Alhambra Avenue to the center line of North Main Street; thence southwesterly along the center line of North Main Street to the center line of Hollywood Parkway; thence northwesterly along the center line of Hollywood Parkway to the northeasterly prolongation of the center line of Boylston Street; thence southwesterly along the last mentioned prolongation and center line of Boylston Street to the center line of 2nd Street; thence northwesterly along the center line of 2nd Street to the center line of Glendale Boulevard; thence northerly along the center line of Glendale Boulevard to the point of beginning, shall constitute the Forty-fifth Assembly District.

46 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the southwesterly prolongation of the center line of Surf Street and the southwesterly boundary of the County of Los Angeles, thence northeasterly along said southwesterly prolongation and center line of Surf Street to the center line of Trolley Way, thence southerly along the center line of

Trolley Way to the southwesterly prolongation of the center line of Manchester Avenue; thence northeasterly along said prolongation and center line of Manchester Avenue to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, near the intersection of Osage and Manchester Avenues, thence northeasterly along the boundary of said city to an angle point in said boundary at or near the intersection of the center lines of Agusta Street and Freeman Boulevard, thence southerly along the northerly prolongation of the center line of Freeman Boulevard to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch); thence northeasterly along said last mentioned center line and following the same in all its various courses to the easterly boundary of the City of Inglewood as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to a point due south of an angle point in the boundary of said City of Inglewood, said angle point being at or near the northwesterly corner of Imperial Highway and Crenshaw Boulevard; thence due north to said angle point; thence westerly along boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway, thence westerly along the center line of Imperial Highway to the center line of Prairie Avenue; thence southerly along the center line of Prairie Avenue to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence westerly along the boundary of said last-mentioned city and following the same in all its various courses to the easterly boundary of said City of Los Angeles, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the easterly boundary of the City of El Segundo as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city to the northerly boundary of the City of Manhattan Beach, as same existed on above mentioned date, thence easterly along the boundary of said last-mentioned city and following the same in all its various courses to an angle point in the southerly boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of Aviation Boulevard and Redondo Beach Boulevard; thence easterly along the center line of Redondo Beach Boulevard to the center line of Flagler Lane, thence southerly along the center line of Flagler Lane to the boundary of said City of Redondo Beach, at or near the intersection of Beryl Street and Flagler Lane; thence southerly along boundary of said last mentioned city to an angle point in the boundary of said last mentioned city at or near the southeasterly corner of Block 70, Tract 10019, as shown on map recorded in Book 182, pages 1-13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of said City of Torrance; thence westerly along the boundary of said City of Torrance and following the same in all its various courses to the center line of Pacific Coast Highway; thence southeasterly along the center line of Pacific Coast Highway to the center line of Newton Street (from the southeast); thence southeasterly along the center line of Newton Street to the center line of 242nd Street; thence westerly along the center line of 242nd Street to the center line of Wilmington Street; thence southerly along the center line of Wilmington Street to the southwesterly boundary of said city of Torrance; thence southeasterly and easterly along the boundary of said last mentioned city to an angle point in the southerly boundary thereof, said angle point being at or near the southwest corner of Tract No 954, as shown on map recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly and northeasterly along the southerly and easterly boundary of said last mentioned tract to the southwest corner of lot 111, Tract No. 3377, as shown on map recorded in Book 37, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the southerly boundaries of said last mentioned Tract and Tract No. 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles to the center line of Western Avenue; thence southerly along the center line of Western Avenue to a point due west of an angle point in the boundary of the City of Los Angeles, as same existed on above mentioned date, said angle point being at or near the northwesterly corner of Tract No 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due east to said last mentioned angle point; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said county, and following the same in all its various courses to the point of beginning Also including the Islands of Santa Catalina and San Clemente, shall constitute the Forty-sixth Assembly District.

47. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the westerly boundary of the City of Pasadena as same existed March 1, 1951, with the township line between Township 1 and Township 2 North; thence easterly along the township line to the easterly boundary of said city; thence southerly along the boundary of said city and following the same in

all its various courses to the southeasterly corner of Lot 104, as shown on map of Tract No. 7931, recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles, said last mentioned corner being also an angle point in the boundary of said city as same existed on above date; thence southerly along the easterly line of said last mentioned tract and along the southerly prolongation thereof to the center line of Washington Street; thence westerly along the center line of Washington Street to the center line of Wesley Avenue; thence southerly along the center line of Wesley Avenue to the center line of Whitefield Road; thence easterly along the center line of Whitefield Road to the center line of Allen Avenue; thence southerly along the center line of Allen Avenue to the center line of Walnut Street; thence easterly along the center line of Walnut Street to its first intersection with the center line of Foothill Boulevard; thence easterly along the center line of Foothill Boulevard to an angle point in the boundary of the aforesaid City of Pasadena, at or near the center line of Sierra Madre Villa Avenue and the center line of Foothill Boulevard; thence easterly along the boundary of said city to the easterly line of Michillinda Boulevard; thence southerly along the easterly line of Michillinda Boulevard to the boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive; thence westerly along the center line of Las Tunas Drive to the center line of San Gabriel Boulevard; thence northerly along the center line of San Gabriel Boulevard to the boundary of the City of San Gabriel, as same existed on above mentioned date, thence westerly and northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of San Marino, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to a point in the easterly boundary of the City of South Pasadena as same existed on above mentioned date, said point being also a point in the boundary of the aforesaid City of Pasadena, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-seventh Assembly District.

48 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 6, Township 2 North, Range 13 West, S.B.B. & M., thence easterly along the township line to the northeasterly corner of Section 1, Township 2 North, Range 12 West, S.B.B. & M.; thence southerly along section line to the northwesterly corner of Section 6, Township 2 North, Range 11 West, S.B.B. & M.; thence easterly along township lines to the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. & M.; thence southerly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. & M.; thence westerly along section lines to the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S.B.B. & M., thence southerly along quarter section line to its first intersection with the northerly boundary of the City of Monrovia, as same existed March 1, 1951, thence southerly along said last mentioned boundary and following the same in all its various courses to the center line of Foothill Boulevard; thence westerly along the center line of Foothill Boulevard to the boundary of the City of Arcadia, as same existed on above mentioned date; being at or near the west line of Sixth Avenue; thence southerly along said last mentioned boundary and following the same in all its various courses to an angle point therein (at or near the easterly line of Michillinda Avenue) thence north in a direct line to the southerly boundary of the City of Pasadena, as same existed on above mentioned date, being in the center line of Foothill Boulevard; thence westerly along said last mentioned boundary and center line of Foothill Boulevard to the center line of Walnut Avenue; thence westerly along the center line of Walnut Avenue to the center line of Allen Avenue; thence northerly along the center line of Allen Avenue to the center line of Whitefield Road; thence westerly along the center line of Whitefield Road to the center line of Wesley Avenue; thence northerly along the center line of Wesley Avenue to the center line of Washington Street; thence easterly along the center line of Washington Street to its intersection with the southerly prolongation of the easterly line of Tract No. 7931, as shown on map recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence northerly along said southerly prolongation to the southeasterly corner of Lot 104 of said last mentioned tract; said last mentioned corner being also an angle point in the northerly boundary of said City of Pasadena; thence northerly along said last mentioned boundary, and following the same in all its various courses to the township line between Townships 1 and 2 North; thence westerly along township line to the northerly boundary of said City of Pasadena, thence southeasterly along said last mentioned boundary and following the same in all its various courses to its first intersection with the westerly boundary of the City of Glendale as same existed on above mentioned date; thence southwesterly along said last mentioned boundary and following the same in all its various courses to the most northerly point in said last mentioned boundary; said point being also the

most easterly corner of Tract 10156, as shown on map recorded in Book 164, pages 1 and 2, of Maps, in the office of said recorder; thence northwesterly along the boundary of said last mentioned tract and following the same in all its various courses to its intersection with the northerly line of Fractional Section 33, Township 2 North, Range 13 West, S B B. & M.; thence westerly along section lines to its first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence northerly along the boundary of said City, and following the same in all its various courses to the southeasterly corner of Section 36, Township 3 North, Range 14 West, S.B B. & M.; thence northerly along Range line to the point of beginning, shall constitute the Forty-eighth Assembly District.

49. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. and M.; thence easterly along the township line between Townships 2 and 3 North to its intersection with the boundary of the County of Los Angeles; thence southerly along the boundary of said county and following the same in all its various courses to its intersection with the center line of Brea Canyon Road; thence northeasterly along the center line of Brea Canyon Road to the center line of Southern Pacific Railroad Company's right of way (Main line to Yuma); thence northeasterly along the center line of said right of way to its intersection with the easterly line of the Rancho La Puente, as shown on map recorded in Book 1, pages 43 and 44, of Patents, in the office of the Recorder of the County of Los Angeles; thence northeasterly along the boundary of said Rancho and following the same in all its various courses to its intersection with the southerly prolongation of the center line of Valley Center Avenue; thence northerly along said prolongation and the center line of Valley Center Avenue to the east and west quarter section line of Section 8, Township 1 South, Range 9 West, S.B.B. and M.; thence westerly along quarter section lines to the westerly line of Section 9, Township 1 South, Range 10 West, S.B.B. and M; thence southerly along section line to its first intersection with the boundary of the City of West Covina, as same existed March 1, 1951; thence westerly and southerly along the boundary of said last mentioned city to its intersection with the northerly line of East Ramona Boulevard; thence south in a direct line to the center line of East Ramona Boulevard; thence southwesterly along the center line of East Ramona Boulevard (North Road) to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch); thence southwesterly along the center line of said last mentioned right of way to its intersection with the center line of the Pacific Electric Railway Company's right of way; thence southwesterly along the center line of said last mentioned right of way to the center line of San Gabriel River; thence northerly along the center line of said river and following the same in all its various courses to the northeasterly line of the Rancho San Francisquito as shown on map recorded in Book 1, pages 31 and 32 of Patents, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the boundary of said last mentioned rancho to its first intersection with the boundary of the City of Arcadia as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city to an angle point therein, at or near the easterly line of Sixth Avenue; thence southwesterly in a direct line to an angle point in the boundary of said last mentioned city, at or near the west line of Sixth Avenue; thence southwesterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Foothill Boulevard, at or near its intersection with the west line of Second Avenue; thence easterly along the center line of Foothill Boulevard to the westerly boundary of the City of Monrovia as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city, and following the same in all its various courses to the northeasterly corner of said last mentioned city; (said corner being also a point in the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S B B. and M.); thence northerly along quarter section line to the northerly line of said last mentioned section; thence easterly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. and M.; thence northerly along section lines to the point of beginning, shall constitute the Forty-Ninth Assembly District.

50. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly line of the San Francisquito Rancho as shown on map recorded in Book 1, pages 31, 32 of Patents, in the office of the Recorder of the County of Los Angeles, with the southeasterly boundary of the City of Arcadia as same existed March 1, 1951; thence southeasterly along the northeasterly boundary of said Rancho to the center line of the San Gabriel River; thence southwesterly along the center line of said river to the center line of the Pacific Electric Railway Company's right of way; thence northeasterly along the center line of said right of way to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch); thence northeasterly along the

center line of said last mentioned right of way to the center line of East Ramona Boulevard (northerly roadway); thence northeasterly along the center line of East Ramona Boulevard to a point due South of the southwest corner of the northwest annex to the City of West Covina; thence due north to said corner; thence northerly and easterly along the boundary of said last mentioned city to its first intersection with the westerly line of Section 9, Township 1 South, Range 10 West, thence northerly along section line to the east and west quarter section line of said last mentioned section; thence easterly along quarter section lines to the center line of Valley Center Avenue; thence southerly along the center line of Valley Center Avenue and the southerly prolongation thereof to its first intersection with the easterly line of the Rancho La Puente as shown on map recorded in Book 1, Pages 33 and 34 of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho and following the same in all its various courses to its first intersection with the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma); thence southwesterly along the center line of said last mentioned right of way to the center line of Brea Canyon Road; thence southerly along the center line of Brea Canyon Road to its intersection with the boundary of the County of Los Angeles as same existed March 1, 1951; thence westerly along boundary of said county and following the same in all its various courses to the north and south quarter section line of Section 13, Township 3 South, Range 11 West, thence westerly along section lines to the center line of Luitwieler Avenue; thence northerly along the center line of Luitwieler Avenue to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Carmenita Road; thence northerly along the center line of Carmenita Road to the center line of Lakeland Road; thence westerly along the center line of Lakeland Road to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (San Diego Division); thence northerly along the center line of said last mentioned right of way to the center line of Santa Fe Springs Road; thence northeasterly along the center line of Santa Fe Springs Road to the center line of Los Nietos Road; thence northwesterly along the center line of Los Nietos Road to the center line of Norwalk Boulevard, thence northerly along the center line of Norwalk Boulevard to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Rosemead Boulevard, thence northerly along the center line of Rosemead Boulevard to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard and along the center line of Siphon Road and the southeasterly prolongation thereof to the center line of the San Gabriel River; thence northeasterly along the center line of said last mentioned river and following the same in all its various courses to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Potrero Avenue (from the North), thence northerly along the center line of Potrero Avenue and the northerly prolongation thereof to the center line of the Pacific Electric Railway Company's right of way (in Ramona Boulevard); thence easterly along the center line of said last mentioned right of way to the southerly prolongation of the center line of Baldwin Avenue; thence northerly along said prolongation and center line of Baldwin Avenue to the center line of Bessie Avenue; thence southeasterly along the center line of Bessie Avenue to the center line of Shirley Avenue; thence northerly along the center line of Shirley Avenue to the center line of Gidley Street; thence northwesterly along the center line of Gidley Street to the center line of Baldwin Avenue; thence northeasterly along the center line of Baldwin Avenue to the center line of Lower Azusa Road; thence easterly along the center line of Lower Azusa Road to the center line of Cedar Avenue; thence northeasterly along the center line of Cedar Avenue to the southerly boundary of the City of Arcadia as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said city at or near the westerly line of Sixth Avenue; thence northeasterly in a direct line to an angle point in the boundary of said last mentioned city at or near the easterly line of Sixth Avenue, thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fiftieth Assembly District.

51 All that part of the County of Los Angeles within the following described boundaries

Beginning at the intersection of the easterly boundary of the City of Los Angeles, as same existed on March 1, 1951 with the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Gage Avenue; thence northerly along the center line of Gage Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Geraghty Avenue; thence northerly along the center line of Geraghty Avenue to the center line of Dobinson Street; thence southeasterly along the center line of Dobinson Street to the center line of Hazard Avenue; thence southerly along the

center line of Hazard Avenue to the center line of Folsom Street; thence easterly along the center line of Folsom Street to the center line of Brannick Avenue; thence northerly along the center line of Brannick Avenue to the center line of Blanchard Street; thence southeasterly along the center line of Blanchard Street to the center line of Eastern Avenue; thence northerly along the center line of Eastern Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of McBride Avenue; thence southerly along the center line of McBride Avenue and the southerly prolongation thereof to the center line of Floral Drive; thence easterly along the center line of Floral Drive, the easterly prolongation of said Floral Drive and the center line of Floral Drive to the center line of Roscommon Avenue; thence southerly along the center line of Roscommon Avenue to the center line of Brooklyn Avenue; thence easterly and southeasterly along the center line of Brooklyn Avenue to the center line of Riggin Avenue; thence southeasterly along the center line of Riggin Avenue to the westerly boundary of Monterey Park, as same existed on above mentioned date, thence southerly and easterly along the boundary of aforesaid city of Monterey Park to its first intersection with the westerly boundary of the City of Montebello, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Lincoln Avenue; thence northeast in a direct line to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard to the center line of Rosemead Boulevard; thence southwesterly along the center line of Rosemead Boulevard to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Norwalk Boulevard; thence southeasterly and southerly along the center line of Norwalk Boulevard to the center line of Los Nietos Road; thence southeasterly along the center line of Los Nietos Road to the center line of Santa Fe Springs Road, thence southwesterly along the center line of Santa Fe Springs Road to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Main line—Los Angeles to San Diego); thence southerly along the center line of said right of way to the center line of Lakeland Road; thence easterly along the center line of Lakeland Road to the center line of Carmenita Road; thence southerly along the center line of Carmenita Road to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Lurtwieler Avenue to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to its first intersection with the boundary of the County of Los Angeles; thence southerly along the boundary of the County of Los Angeles and following the same in all its various courses to the northerly boundary of the City of Long Beach, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at the intersection of the southwesterly line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the Surveyor of said county, and the easterly prolongation of the southerly line of Tract No. 5023, as shown on map recorded in Book 58, page 1, of Maps, in the office of the recorder of said county; thence due east to the center line of the official bed of the San Gabriel River; thence northerly along the center line of said river and following the same in all its various courses to the center line of Anaheim Telegraph Road; thence northwesterly along the center line of Anaheim Telegraph Road to a point due south of the most southerly corner of the City of Montebello, as same existed on above mentioned date; thence due north to the boundary of said city; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church Road; thence northeasterly along said southeasterly line of Church Road and the northeasterly prolongation thereof to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (Main Line Los Angeles to San Diego); thence northwesterly along the center line of said right of way to the first intersection with the southeasterly boundary of the City of Vernon as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the aforesaid City of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-first Assembly District.

52 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the City of Vernon, as same existed March 1, 1951, at or near the northwesterly corner of Twenty-fifth and Alameda Streets, said point of beginning being also an angle point in the boundary of the City of Los Angeles as same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in aforesaid City of Vernon at or near the northeasterly corner of Lot 16, of Tract No. 8626, as shown on map recorded in Book 121, pages

96 to 100, of Maps, in the office of the Recorder of the County of Los Angeles, thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (Main line Los Angeles to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church Road; thence southwesterly along said northeasterly prolongation of Church Road to its first intersection with the boundary of the City of Montebello, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner thereof, thence due south to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of Stoakes Avenue, thence southwesterly along the center line of Stoakes Avenue to the center line of Gallatin School House Road; thence northwesterly along the center line of Gallatin School House Road to the center line of Downey Avenue, thence southwesterly along the center line of Downey Avenue to the center line of Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Brock Avenue; thence northwesterly in a direct line to the intersection of the center lines of Paramount Boulevard and Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Southern Avenue; thence westerly along the center line of Southern Avenue to the center line of Rayo Avenue; thence southwesterly along the center line of Rayo Avenue to the center line of Atlantic Avenue, thence southerly along the center line of Atlantic Avenue to the center line of Tweedy Boulevard; thence westerly along the center line of Tweedy Boulevard to the first intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard, thence westerly along the center line of Tweedy Boulevard to the center line of Santa Fe Avenue, thence southerly along the center line of Santa Fe Avenue to an angle point in the boundary of aforesaid City of South Gate, near the center line of Santa Fe Avenue and the southerly line of Tweedy Boulevard, thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Firestone Boulevard; thence westerly along the center line of Firestone Boulevard to the center line of Alameda Street; thence northerly along the center line of Alameda Street to the center line of Florence Avenue; thence easterly along the center line of Florence Avenue to the westerly boundary of the City of Huntington Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of aforesaid City of Vernon, thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-second Assembly District.

53. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most westerly point in the boundary of the City of San Marino as same existed March 1, 1951, thence easterly along the northerly boundary of said city and following the same in all its various courses to its first intersection with the boundary of the City of San Gabriel as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive; thence easterly along the center line of Las Tunas Drive to its first intersection with the westerly boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Cedar Avenue; thence southerly along the center line of Cedar Avenue to the center line of Lower Azusa Road; thence westerly along the center line of Lower Azusa Road to the center line of Baldwin Avenue; thence southwesterly along the center line of Baldwin Avenue to the center line of Gidley Street; thence southeasterly along the center line of Gidley Street to the center line of Shirley Avenue, thence southwesterly along the center line of Shirley Avenue to the center line of Bessie Avenue; thence northwesterly along the center line of Bessie Avenue to the center line of Baldwin Avenue, thence southwesterly and southerly along the center line of Baldwin Avenue and the southerly prolongation thereof to the center line of Pacific Electric Railway Company's right of way; thence westerly along the center line of said right of way to the northerly prolongation of the center line of Potrero Avenue, thence southerly along said prolongation and along the center line of Potrero Avenue to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Fremont Avenue; thence northwesterly along the center line of Fremont Avenue to the center line of Hellman Avenue; thence westerly along the center line of Hellman Avenue to the westerly boundary of the City of Alhambra as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to its first intersection with the boundary of the City of San Marino

as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-third Assembly District.

54. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most southerly corner of the City of Glendale as the same existed on March 1, 1951, said southerly corner lying on the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line) being also an angle point in the boundary of the City of Los Angeles, as the same existed on the above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point therein; said angle point being the northerly terminus of the westerly boundary of the City of South Pasadena, as the same existed on above mentioned date; thence easterly along the boundary of the City of South Pasadena, and following the same in all its various courses to the first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of the City of Los Angeles, and following the same in all its various courses to the center line of the Southern Pacific Railroad Company's right of way (Main line); thence westerly along the center line of said Southern Pacific Railroad Company's right of way to the southeasterly prolongation of the center line of Endicott Street; thence northwesterly along the southeasterly prolongation of the center line of Endicott Street and the center line of Endicott Street to the center line of Lombardy Boulevard; thence northwesterly along the center line of Lombardy Boulevard to the center line of Eastern Avenue; thence northerly along the center line of Eastern Avenue to the center line of the Pacific Electric Railway Company's right of way (in Huntington Drive); thence westerly along the center line of said last mentioned Pacific Electric Railway Company's right of way to the center line of Topaz Street; thence northwesterly along the center line of Topaz Street to the center line of Galena Street; thence northerly along the center line of Galena Street to the center line of Sardonyx Street; thence northerly along the center line of Sardonyx Street to the center line of Mercury Avenue; thence easterly along the center line of Mercury Avenue to the center line of Boundary Avenue; thence northerly along the center line of Boundary Avenue to the northerly patent boundary line of the City of Los Angeles; thence westerly along said northerly patent boundary line and its westerly prolongation to the center line of Avenue 45; thence northwesterly along the center line of Avenue 45 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Avenue 44, lying between Figueroa Street and Marmion Way; thence northwesterly along the center line of Avenue 44 and its northwesterly prolongation to the center line of Marmion Way; thence southwesterly along the center line of Marmion Way to the center line of Arroyo Seco Avenue; thence southwesterly along the center line of Arroyo Seco Avenue to the center line of Avenue 37; thence northwesterly along the center line of Avenue 37 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Amabel Street; thence northwesterly along the center line of Amabel Street to the center line of Isabel Street; thence westerly along the center line of Isabel Street to the center line of Bank Street; thence southwesterly along the center line of Bank Street to the center line of Avenue 30; thence northwesterly along the center line of Avenue 30 to the center line of Division Street; thence southwesterly along the center line of Division Street and its southwesterly prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley line); thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of that portion of Granada Street lying between Cypress Avenue and San Fernando Road; thence southwesterly along said last mentioned prolongation to the center line of the Official Bed of the Los Angeles River; thence northwesterly along the center line of said Los Angeles River to the northeasterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation and center line of Dallas Street to the center line of Riverside Drive; thence northwesterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Tyburn Street; thence northeasterly along said prolongation and center line of Tyburn Street to the point of beginning, shall constitute the Fifty-fourth Assembly District.

55. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Florence Avenue and Main Street; thence easterly along the center line of Florence Avenue to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the center line of Firestone Boulevard; thence southeasterly along the center line of Firestone Boulevard to the westerly boundary of the City of South Gate, as same existed on March 1, 1951; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at or near the intersection of the center line of Santa Fe Avenue and the south line of Tweedy Boulevard; thence due north to the center line of

Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the first intersection with the northwesterly boundary of the City of Lynwood, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the center line of Atlantic Avenue; thence southerly along the center line of Atlantic Avenue to the intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date, thence easterly and southerly along the boundary of said last mentioned city to an angle point therein, said angle point being also in the center line of Imperial Highway; thence westerly along the center line of Imperial Highway and following the same in all its various courses to the westerly boundary of the City of Lynwood, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the intersection with the boundary of the City of Compton, as same existed on above mentioned date, said point of intersection being at or near the center line of Alameda Street; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Avenue; thence northerly along the center line of Wilmington Avenue to an angle point in the boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of El Segundo Boulevard; thence westerly along the center line of El Segundo Boulevard to the center line of Avalon Boulevard; thence northerly along the center line of Avalon Boulevard to the boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Athens Way (westerly roadway); thence northerly along the center line of Athens Way to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Athens Way; thence northerly along the center lines of Athens Way and Broadway to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Main Street; thence northerly along the center line of Main Street to the point of beginning, shall constitute the Fifty-fifth Assembly District

56. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 36, Township 1 North, Range 14 West, S.B.B. & M.; thence easterly along section lines to the center line of the Los Angeles River; thence southerly along the center line of said Los Angeles River to the westerly prolongation of the center line of Chevy Chase Drive; thence easterly along said westerly prolongation and the center line of Chevy Chase Drive to the westerly boundary of the City of Glendale, as same existed on March 1, 1951; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Tyburn Street; thence southwesterly along the center line of Tyburn Street and the southwesterly prolongation thereof to the center line of Riverside Drive; thence southeasterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation to the center line of Chavez Ravine Drive; thence southeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the center line of Elysian Park Drive; thence southwesterly along the center line of Elysian Park Drive and the southwesterly prolongation thereof to the center line of Scott Avenue (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No. 37351 of the City of Los Angeles); thence southwesterly along the center line of Scott Avenue to the center line of Portia Street; thence southwesterly along the center line of Portia Street to the northwesterly prolongation of the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6, of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence southeasterly along said last mentioned prolongation and center line of said alley to the center line of Sutherland Street; thence southwesterly along the center line of Sutherland Street to the center line of Macbeth Street; thence southeasterly along the center line of Macbeth Street to the center line of Quintero Street; thence southwesterly along the center line of Quintero Street to the center line of Sunset Boulevard; thence northwesterly along the center line of Sunset Boulevard to the center line of Glendale Boulevard; thence southerly along the center line of Glendale Boulevard to the northwesterly prolongation of the center line of 2nd Street; thence southeasterly along said northwesterly prolongation and center line of 2nd Street to the southwesterly prolongation of the center line of Boylston Street; thence southwesterly along said prolongation of the center line of Boylston Street to the easterly prolongation of the center line of Huntley Drive; thence westerly along said prolongation and center line of Huntley Drive to the center line of Boylston

Street; thence southwesterly along the center line of Boylston Street to the center line of Sixth Street; thence southeasterly along the center line of Sixth Street and the southeasterly prolongation thereot to the center line of the Harbor Parkway; thence southwesterly along the center line of the Harbor Parkway to the center line of Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Alvarado Street; thence northeasterly along the center line of Alvarado Street to the center line of Seventh Street; thence northwesterly along the center line of Seventh Street to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Beverly Boulevard; thence westerly along the center line of Beverly Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the center line of Los Feliz Boulevard; thence northeasterly along the center line of Los Feliz Boulevard to the southwesterly prolongation of the center line of a private street known as Fern Dell Drive; thence northeasterly along said prolongation and center line of Fern Dell Drive and the northerly prolongation thereof to the southerly boundary of Griffith Park; as shown on County Surveyor's Map No. 2325 on file in the office of the surveyor of said county; thence westerly and northerly along the boundary of Griffith Park to the point of beginning, shall constitute the Fifty-sixth Assembly District

57. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Van Nuys Boulevard and Riverside Drive; thence easterly along the center line of Riverside Drive and following the same in all its various courses to the westerly boundary of the City of Burbank as same existed on March 1, 1951; thence southeasterly along the westerly boundary of said City of Burbank to the most southerly corner of said city, being a point in the easterly line of the Rancho Ex-Mission de San Fernando as shown on map recorded in Book 1, page 605, of Patents in the office of the Recorder of the County of Los Angeles; thence southerly along said last mentioned easterly line and following the same in all its various courses to the northerly line of Section 34, Township 1 North, Range 14 West, S.B B. & M ; Thence easterly along section lines to the westerly boundary of Griffith Park as shown on County Surveyor's Map No 2325 on file in the office of the surveyor of said county; thence southerly and easterly along the boundary of said Griffith Park to the center line of a private street known as Fern Dell Drive; thence southerly along the center line of said Fern Dell Drive to the center line of Los Feliz Boulevard; thence southwesterly along the center line of Los Feliz Boulevard to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Melrose Avenue; thence westerly along the center line of Melrose Avenue to the center line of Cahuenga Boulevard; thence northerly along the center line of Cahuenga Boulevard to the center line of Sunset Boulevard; thence westerly along the center line of Sunset Boulevard to the center line of Hayworth Avenue; thence southerly along the center line of Hayworth Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence easterly along said last mentioned boundary of the City of Los Angeles and following the same in all its various courses to the first intersection with the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the boundary of said City of Los Angeles; thence westerly along said last mentioned boundary and following the same in all its various courses to the easterly boundary of the City of Beverly Hills as same existed on above mentioned date; thence northerly along said last mentioned boundary and following the same in all its various courses to the northerly terminus of the most westerly line of said last mentioned boundary, being an angle point in the southerly line of fractional Section 11, Township 1 South, Range 15 West, S.B.B & M ; thence westerly along section lines to the southwesterly corner of fractional Section 10, said township and range, being a point in the northeasterly boundary of the Rancho San Vicente y Santa Monica as shown on map recorded in Book 3, pages 30 and 31, of Patents in the office of the recorder of said county; thence northwesterly along said last mentioned boundary to the southerly boundary of that certain territory annexed to said City of Los Angeles, and known as the San Fernando Addition; said point being also the northwest corner of Fractional Section 33, Township 1 North, Range 15 West, S. B & M.; thence northeasterly along a direct line to the intersection of the center lines of Oakfield Drive and Van Nuys Boulevard; thence northwesterly along the center line of Van Nuys Boulevard and following the same in all its various courses to the point of beginning, shall constitute the Fifty-seventh Assembly District

58 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Sunset Boulevard and Hayworth Avenue; thence easterly along the center line of Sunset Boulevard to the center line of Cahuenga Boulevard; thence southerly along the center line of Cahuenga Boulevard to the center line of Melrose Avenue; thence easterly along the center line of Melrose Avenue to the center line of Western Avenue; thence southerly along the

center line of Western Avenue to the center line of Beverly Boulevard, thence easterly along the center line of Beverly Boulevard to the center line of Vermont Avenue, thence southerly along the center line of Vermont Avenue to the center line of 7th Street, thence easterly along the center line of 7th Street to the center line of Westmoreland Avenue; thence southerly along the center line of Westmoreland Avenue to the center line of 9th Street; thence westerly along the center line of 9th Street to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of West Boulevard; thence northeasterly along the center line of West Boulevard and its northeasterly prolongation to the center line of the Pacific Electric Co.'s right of way (in San Vicente Boulevard), thence northwesterly along the center line of said right of way to the center line of Stanley Avenue; thence northeasterly along the center line of Stanley Avenue to the center line of Wilshire Boulevard, thence westerly along the center line of Wilshire Boulevard to the center line of Fairfax Avenue, thence northerly along the center line of Fairfax Avenue to 3rd Street; thence easterly along the center line of 3rd Street to the center line of La Brea Avenue; thence northerly along the center line of La Brea Avenue to the center line of Willoughby Avenue, thence westerly along the center line of Willoughby Avenue to the boundary of the City of Los Angeles as same existed March 1, 1951, said boundary being on the center line of Willoughby Avenue, thence westerly along the boundary of said last mentioned city to the center line of Fairfax Avenue; thence northerly along the center line of Fairfax Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hayworth Avenue; thence northerly along the center line of Hayworth Avenue to the point of beginning, shall constitute the Fifty-eighth Assembly District.

59 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Beverly Glen Boulevard and the northerly boundary of the Rancho San Jose De Buenos Ayres, as shown on map recorded in Book 26, pages 19 to 25, inclusive, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northeasterly along said boundary to the southwesterly corner of Fractional Section 10, Township 1 South, Range 15 West, S.B.B and M, thence southeasterly along the southwesterly line of said section and easterly along section lines to the northerly boundary of the City of Beverly Hills, as same existed on March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to the intersection with the boundary of the City of Los Angeles, as same existed on above mentioned date, said point of intersection being at or near the center line of Doheny Drive and south of Beverly Boulevard, thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in San Vicente Boulevard; thence southeasterly along the center line of said right of way to the center line of La Cienega Boulevard; thence due west from the center line of La Cienega Boulevard to the easterly boundary of the City of Beverly Hills, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Robertson Boulevard (south of Whitworth Drive), thence southerly along the center line of Robertson Boulevard to the center line of Adams Boulevard; thence westerly along the center line of Adams Boulevard and following the same in all its various courses to its westerly terminus as shown on map of Tract No 14212, recorded in Book 308, pages 30 to 32, of Maps, in the office of said recorder; thence northwesterly in a direct line to the intersection of the center lines of Adams Boulevard and Beverly Drive; thence westerly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverwil Drive; thence northerly along the center line of Beverwil Drive to the easterly prolongation of the southerly line of Tract No 13945, as shown on map recorded in Book 338, pages 43 and 44, of said Maps; thence westerly along said prolongation and southerly line of Tract No 13945 to the center line of Anchor Avenue; thence northerly along the center line of Anchor Avenue and following the same in all its various courses to the center line of Monte Mar Place; then southwesterly along the center line of Monte Mar Place to the center line of Monte Mar Terrace; thence northwesterly along the center line of Monte Mar Terrace to the center line of McConnell Drive; thence northwesterly along the center line of McConnell Drive to the center line of Monte Mar Drive; thence southwesterly along the center line of Monte Mar Drive to the center line of Lorenzo Drive; thence southeasterly along the center line of Lorenzo Drive to the center line of Motor Avenue; thence southeasterly along the center line of Motor Avenue and following the same in all its various courses to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said last mentioned

city boundary; said point being in the northwesterly prolongation of the northeasterly line of Bledsoe Avenue; thence northwesterly along said last mentioned prolongation to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard), thence southwesterly along the center line of said last mentioned right of way to the center line of Centinela Avenue; thence northwesterly along the center line of Centinela Avenue and Bundy Drive to a point due east of the most easterly corner of the City of Santa Monica, as same existed on above mentioned date, thence due west to said corner; thence along the boundary of said city and following the same in all its various courses to the center line of Santa Monica Boulevard; thence northeasterly along the center line of Santa Monica Boulevard to the center line of Manning Avenue; thence northwesterly along the center line of Manning Avenue to the center line of Wilshire Boulevard; thence northeasterly along the center line of Wilshire Boulevard to the center line of Beverly Glen Boulevard; thence northwesterly along the center line of Beverly Glen Boulevard to the point of beginning, shall constitute the Fifty-ninth Assembly District.

60. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northwesterly boundary of the County of Los Angeles and the north line of Section 8, Township 1 South, Range 19 West, S.B.B. and M.; thence easterly along section lines to the northeast corner of Section 11, said last mentioned township and range; thence southerly along the easterly line of last mentioned section to the northwesterly corner of Section 13, said last mentioned township and range; thence easterly and southerly along the northerly and easterly lines of said last mentioned section to the northwesterly corner of Section 19, Township 1 South, Range 18 West, S.B.B. and M; thence easterly along section lines to the first intersection with the boundary of the City of Los Angeles, as same existed March 1, 1951, thence northeasterly along the boundary of said city to the southerly boundary of the San Fernando Addition to said city; thence easterly along the southerly boundary of said addition to the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in Book 3, pages 30 and 31, of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho, and following the same in all its various courses to the center line of Beverly Glen Boulevard; thence southerly along the center line of Beverly Glen Boulevard to the center line of Wilshire Boulevard; thence southwesterly along the center line of Wilshire Boulevard to the center line of Manning Avenue; thence southerly along the center line of Manning Avenue to the center line of the Pacific Electric Railway Company's right of way (in Santa Monica Boulevard), thence southwesterly along the center line of said last mentioned right of way and the center line of Santa Monica Boulevard to the northeasterly boundary of the City of Santa Monica, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Lincoln Boulevard; thence northwesterly along the center line of Lincoln Boulevard to the center line of Pico Boulevard; thence southwesterly along the center line of Pico Boulevard and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles, thence northwesterly along the boundary of said County, and following the same in all its various courses to the point of beginning, shall constitute the Sixtieth Assembly District.

61. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the boundary of the City of Los Angeles, as same existed on March 1, 1951 and the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence easterly along the boundary of said City of Los Angeles and following the same in all its various courses to an angle point in said last mentioned boundary, being the intersection of the center line of Willoughby Avenue and the southerly prolongation of the westerly line of Tract No. 4885, as shown on map recorded in Book 45, page 87, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the center line of Willoughby Avenue to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of Third Street; thence westerly along the center line of Third Street and following the same in all its various courses to the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the center line of Wilshire Boulevard; thence easterly along the center line of Wilshire Boulevard to the center line of Stanley Avenue; thence southerly along the center line of Stanley Avenue and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way (in San Vicente Boulevard); thence southwesterly along the center line of said last right of way to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of the Pacific Electric Railway Co.'s right of way (in Exposition Boulevard); thence westerly along the center line of said last mentioned right of way to the center line of Jefferson Boulevard; thence southerly along the center line of Jefferson Boulevard to the center line of Moynier Lane; thence

southerly along the center line of Moynier Lane to the easterly boundary of said City of Culver City, as same existed on above mentioned date; thence southerly along last mentioned easterly boundary and following the same in all its various courses to the center line of La Cienega Boulevard; thence southerly along the center line of said La Cienega Boulevard and following the same in all its various courses to the northerly boundary of said City of Los Angeles; thence westerly along the boundary of said City of Los Angeles and following the same in all its various courses to the center line of Pershing Drive; thence southeasterly along the center line of Pershing Drive to the center line of Culver Boulevard; thence southwesterly along the center line of Culver Boulevard and following the same in all its various courses and the southwesterly prolongation thereof to the southwesterly boundary of said county; thence northwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Pico Boulevard; thence northeasterly along the center line of Pico Boulevard to the center line of Lincoln Boulevard; thence southeasterly along the center line of Lincoln Boulevard to the southwesterly boundary of the City of Santa Monica, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northeasterly corner of said last mentioned city; thence due east to the center line of Bundy Drive; thence southeasterly along the center line of Bundy Drive and the center line of Centinela Avenue to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard); thence northeasterly along the center line of said last mentioned right of way to the northwesterly prolongation of the northeasterly line of Bledsoe Avenue, thence southeasterly along said last mentioned prolongation to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the center line of Motor Avenue; thence northerly along the center line of Motor Avenue and following the same in all its various courses to the center line of Lorenzo Drive; thence westerly along the center line of Lorenzo Drive to the center line of Monte Mar Drive; thence northeasterly along the center line of Monte Mar Drive and following the same in all its various courses to the center line of McConnell Drive; thence easterly along the center line of McConnell Drive and following the same in all its various courses to the center line of Monte Mar Terrace, thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Monte Mar Place; thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Anchor Avenue; thence southerly along last mentioned center line to the southerly line of Tract No. 13945, as shown on map recorded in Book 338, pages 43 and 44, of Maps, in the office of said recorder; thence easterly along last mentioned southerly line and its easterly prolongation to the center line of Beverwil Drive; thence southerly along the center line of Beverwil Drive and following the same in all its various courses to the center line of Adams Boulevard; thence easterly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverly Drive; thence southeasterly in a direct line to the most westerly terminus of Adams Boulevard, as shown on map of Tract No. 14212, recorded in Book 308, pages 30 to 32, inclusive, of said Maps; thence easterly along last mentioned center line of Adams Boulevard and following the same in all its various courses to the center line of Robertson Boulevard; thence northerly along the center line of Robertson Boulevard and following the same in all its various courses to the southerly boundary of said City of Beverly Hills, as same existed on above mentioned date; thence easterly and northerly along last mentioned boundary of said City of Beverly Hills and following the same in all its various courses to the center line of La Cienega Boulevard; thence due north to the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence northwesterly along the center line of said last mentioned right of way to the point of beginning, shall constitute the Sixty-first Assembly District.

62. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Union Avenue and Eighth Street; thence southeasterly along the center line of Eighth Street, and following the same in all its various courses to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence southeasterly along the center line of Ninth Street to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the boundary of the City of Los Angeles, as same existed March 1, 1951; thence westerly and southerly along the boundary of said city to an angle point in said boundary, said mentioned angle point being at or near the intersection of the center lines of Alameda Street and the A.T. & S.F. Ry. Co's. Right of Way (Redondo Branch), said mentioned angle point being also a point in the southerly boundary of the City of Vernon, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city to its first intersection with the westerly boundary of the City of Huntington Park, as same existed on above mentioned date; thence southerly

along the westerly boundary of said last mentioned city and following the same in all its various courses to the intersection with the center line of Florence Avenue; thence westerly along the center line of Florence Avenue to the center line of Main Street; thence northerly along the center line of Main Street to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of Broadway; thence northerly along the center line of Broadway to the center line of Broadway Place; thence northeasterly along the center line of Broadway Place to the center line of 39th Street; thence northwesterly along the center line of 39th Street to the center line of Flower Drive; thence northerly along the center line of Flower Drive to the center line of 38th Street; thence westerly along the center line of 38th Street to the center line of Figueroa Street; thence northerly and northeasterly along the center line of Figueroa Street to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Union Avenue; thence northeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence southeasterly along the center line of Venice Boulevard to the center line of Union Avenue; thence northeasterly along the center line of Union Avenue to the point of beginning, shall constitute the Sixty-second Assembly District.

63. All that part of the County of Los Angeles within the following described boundaries.

Beginning at the intersection of the center lines of La Brea Avenue and the Pacific Electric Railway Company's right of way (in San Vicente Boulevard); thence southeasterly along the center line of said right of way to the center line of West Boulevard, thence southerly along the center line of West Boulevard to the center line of Washington Boulevard, thence easterly along the center line of Washington Boulevard to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to the center line of the Los Angeles Railway Company's right of way (in Santa Barbara Avenue); thence westerly along said last mentioned center line and following the same in all its various courses to the center line of Hyde Park Boulevard, thence westerly along said center line of Hyde Park Boulevard to the easterly boundary of the City of Inglewood, as same existed on March 1, 1951; thence northerly along said boundary of said last mentioned city and following the same in all its various courses to the center line of La Cienega Boulevard, as shown on map of Tract No 14461, recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of said county, thence northerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Los Angeles, as same existed on above mentioned date, thence westerly along last mentioned boundary to the center line of La Cienega Boulevard, as shown on County Surveyor's Map No B-1914, Sheet 1, on file in the office of the surveyor of said county; thence northerly along last mentioned center line and following the same in all its various courses to the southerly boundary of the City of Culver City, as same existed on above mentioned date; thence easterly along said boundary of the City of Culver City and following the same in all its various courses to the center line of Moynier Lane; thence northeasterly along the center line of Moynier Lane to the center line of Jefferson Boulevard, thence northerly along the center line of Jefferson Boulevard to the intersection with the center line of the Pacific Electric Railway Company's right of way (Santa Monica Air Line); thence southeasterly along the center line of said last mentioned right of way to the center line of La Brea Avenue; thence northeasterly along the center line of La Brea Avenue and following the same in all its various courses to the point of beginning, shall constitute the Sixty-third Assembly District.

64. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northerly line of Section 8, Township 1 South, Range 19 West, S.B B. & M, and the northwesterly boundary of the County of Los Angeles; thence northeasterly along the boundary of said County and following the same in all its various courses to the northerly line of Fractional Section 33, Township 2 North, Range 17 West, S B B & M; thence easterly along section lines to the westerly boundary of the City of Los Angeles, as the same existed on March 1, 1951; thence southerly along the boundary of said City of Los Angeles to the westerly prolongation of the center line of the most westerly portion of Roscoe Boulevard; thence easterly along said prolongation and center line of Roscoe Boulevard to the center line of the Southern Pacific Railroad Company's right of way (Coast Line); thence southeasterly along the center line of said right of way to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue and the southerly prolongation thereof and the center line of Coldwater Canyon Avenue to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Van Nuys Boulevard; thence southerly along the center line of Van Nuys Boulevard and following the same in all its various courses to the center line of Oakfield Drive; thence southwesterly along a direct line to the northwesterly corner of Fractional Section 33, Township 1 North, Range 15 West, S. B. B & M, said point being also in the southerly boundary of that certain territory annexed to the City of

Los Angeles, and known as the San Fernando Addition; thence westerly along the boundary of said last-mentioned addition and following the same in all its various courses to an angle point in the boundary of the City of Los Angeles as the same existed on above mentioned date, said angle point being also the most easterly corner of Fractional Section 33, Township 1 North, Range 16 West, S B B. & M ; thence southwesterly along the boundary of said last-mentioned city to the southerly line of Fractional Section 18, Township 1 South, Range 16 West, S.B.B & M.; thence westerly along section lines to the southeast corner of Section 13, Township 1 South, Range 19 West, S.B B & M.; thence northerly and westerly along the easterly and northerly lines of said Section 13 to the southeast corner of Section 11, said last-mentioned Township and Range; thence northerly along the easterly line of said last-mentioned section to the northeast corner thereof, thence westerly along section lines to the point of beginning, shall constitute the Sixty-fourth Assembly District.

65 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of 9th Street and Western Avenue; thence easterly along the center line of 9th Street to the center line of Westmoreland Avenue; thence northerly along the center line of Westmoreland Avenue to the center line of 7th Street; thence easterly along the center line of 7th Street and following the same in all its various courses to the center line of Alvarado Avenue; thence southwesterly along the center line of Alvarado Avenue to the center line of Eighth Street, thence southeasterly along the center line of Eighth Street to the center line of Union Ave.; thence southeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence northwesterly along the center line of Venice Boulevard to the center line of Union Avenue; thence southwesterly along the center line of Union Avenue to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Figueroa Street; thence southwesterly and southerly along the center line of Figueroa Street to the center line of 38th Street; thence easterly along the center line of 38th Street to the center line of Flower Drive; thence southerly along the center line of Flower Drive to the center line of 39th Street; thence southeasterly along the center line of 39th Street to the center line of Broadway Place; thence southwesterly along the center line of Broadway Place to the center line of Broadway; thence southerly along the center line of Broadway to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of the Los Angeles Railway Company's right of way (in Crenshaw Boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the point of beginning, shall constitute the Sixty-fifth Assembly District.

66 All that part of the County of Los Angeles within the following described boundaries.

Beginning at the intersection of the center lines of Slauson Avenue and the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence easterly along the center line of Slauson Avenue to the center line of Main Street; thence southerly along the center line of Main Street to the center line of 94th Street; thence westerly along the center line of 94th Street to the easterly boundary of the City of Inglewood, as same existed March 1, 1951; thence northerly along the boundary of said city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch), thence southwesterly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Manchester Avenue; thence westerly along the center line of Manchester Avenue and following the same in all its various courses to the center line of Vista Del Mar; thence southwesterly on a southwesterly prolongation of the center line of Manchester Avenue to the center line of Trolley Way; thence northerly along the center line of Trolley Way to the northeasterly prolongation of the center line of Surf Street; thence southwesterly along said prolongation, the center line of Surf Street and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said county to the southwesterly prolongation of the center line of that portion of Culver Boulevard lying between Trolley Way and Ocean Front Walk; thence northeasterly along said southwesterly prolongation and center line of Culver Boulevard and following the same in all its various courses to the center line of Pershing Drive (from the northwest); thence northwesterly along the center line of Pershing Drive to the northwesterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said city and following the same in all its various courses to the center line of La Cienega Boulevard, said center line being at the intersection with the northerly boundary of Tract No 14461, as shown on map recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of the County of Los Angeles,

thence southerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Inglewood, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hyde Park Boulevard; thence easterly along the center line of Hyde Park Boulevard to the center line of the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence northerly along the center line of said right of way to the point of beginning, shall constitute the Sixty-Sixth Assembly District.

67. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of 94th Street and the easterly boundary of the City of Inglewood as same existed March 1, 1951; thence easterly along the center line of 94th Street to the easterly boundary of the City of Los Angeles (in Normandie Avenue); thence southerly along the boundary of said last mentioned city to the center line of 94th Street; thence easterly along the center line of 94th Street to the westerly boundary of said last mentioned city (in Vermont Avenue); thence northerly along the boundary of said city to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Broadway; thence southerly along the center lines of Broadway and Athens Way to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Athens Way (westerly roadway); thence southerly along the center line of Athens Way to the southerly boundary of the said last mentioned city of Los Angeles; thence easterly along the boundary of said last mentioned city to the center line of Avalon Boulevard; thence southerly along the center line of Avalon Boulevard to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of San Pedro Street; thence southerly along the center lines of San Pedro Street and Avalon Boulevard to the center line of 165th Street; thence westerly along the center line of 165th Street to the center line of Main Street; thence southerly along the center line of Main Street to the center line of Victoria Street; thence southwesterly along the center line of Victoria Street to the easterly boundary of the said last mentioned City of Los Angeles; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of 190th Street; thence southwesterly and westerly along the center line of 190th Street to the easterly boundary of the City of Torrance as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of the City of Redondo Beach as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the center line of Flogler Lane, said point being also at or near the intersection of the center lines of Beryl Street and Flogler Lane; thence northerly along the center line of Flogler Lane to the center line of Redondo Beach Boulevard; thence westerly along the center line of Redondo Beach Boulevard to an angle point in the southeasterly boundary of the City of Manhattan Beach, as same existed on above mentioned date, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of El Segundo as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the easterly boundary of the City of Los Angeles (in Freeman Avenue) as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie Avenue; thence northerly along the center line of Prairie Avenue to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the westerly boundary of the City of Inglewood as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwesterly corner of Crenshaw Boulevard and Imperial Highway; thence due south to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Van Ness Avenue; thence northerly along the center line of Van Ness Avenue to the southerly boundary of the said last mentioned City of Inglewood; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the Sixty-seventh Assembly District.

68. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Torrance, as same existed March 1, 1951, said angle point being at or near the intersection of the center lines of Redondo Beach Boulevard and Hawthorne Avenue; thence northeasterly

along the boundary of said city and following the same in all its various courses to the center line of 190th Street; thence easterly and northeasterly along the center line of 190th Street to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to its first intersection with the southeasterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Victoria Street; thence northeasterly along the center line of Victoria Street to the center line of Main Street; thence northerly along the center line of Main Street to the center line of 165th Street; thence easterly along the center line of 165th Street to the center line of Avalon Boulevard; thence northerly along the center lines of Avalon Boulevard and San Pedro Street to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to the center line of Central Avenue (from the South); thence southerly along the center line of Central Avenue to the center line of 168th Street; thence easterly along the center line of 168th Street to the southerly prolongation of the center line of Northwood Avenue; thence northerly along said prolongation to an angle point in the City of Compton, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city to the first intersection with the westerly boundary of the City of Long Beach, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the easterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the southwesterly boundary of the City of Los Angeles, as same existed on above mentioned date, thence northeasterly along said last mentioned boundary and following the same in all its various courses to an angle point in said last mentioned boundary, said point being at or near the northwest corner of Tract No. 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due west to the center line of Western Avenue; thence northerly along the center line of Western Avenue to its intersection with the southerly line of Tract No. 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles; thence westerly along the southerly boundaries of said last mentioned tract and Tract No. 3377, as shown on map recorded in Book 37 page 9, of Maps, in the office of the Recorder of the County of Los Angeles to the southwest corner of Lot 111, said last mentioned tract; thence southwesterly and westerly along the easterly and southerly lines of Tract No. 954, as shown on maps recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles to the southwesterly corner of said last mentioned tract, said corner being also on the boundary line of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Street; thence northerly along the center line of Wilmington Street to the center line of 242nd Street; thence easterly along the center line of 242nd Street to the center line of Newton Street; thence northwesterly along the center line of Newton Street to the center line of Pacific Coast Highway; thence northwesterly along the center line of Pacific Coast Highway to the easterly boundary of the City of Torrance, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the southeasterly corner of Block 70, Tract No. 10019, as shown on map recorded in Book 182, pages 1 to 13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of the City of Redondo Beach, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in the boundary of the City of Torrance, as same existed on above mentioned date, at or near the intersection of Beryl Street and Flagler Lane; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Sixty-Eighth Assembly District.

69 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Avalon Boulevard and El Segundo Boulevard; thence easterly along the center line of Avalon Boulevard to a point in the westerly boundary of the City of Compton, as same existed on March 1, 1951, said point being also at or near the intersection of the center line of El Segundo Boulevard and the east line of Central Avenue; thence northerly along the boundary of the aforesaid City of Compton and following the same in all its various courses to

an angle point therein, said angle point being also at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence southerly along the center line of Wilmington Avenue to a point in the boundary of aforesaid City of Compton, said point being at or near the intersection of the center line of Wilmington Avenue and the north line of Cressey Street; thence northeasterly along the boundary of aforesaid City of Compton and following the same in all its various courses to the southerly boundary of the City of Lynwood, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway and following the same in all its various courses to an angle point in the easterly boundary of said last mentioned city; thence northerly and westerly along the boundary of said last mentioned city to the center line of Atlantic Avenue; thence northerly along the center line of Atlantic Avenue to its intersection with the center line of Rayo Avenue; thence northeasterly along the center line of Rayo Avenue to the center line of Southern Avenue; thence easterly along the center line of Southern Avenue to its intersection with the center line of Stewart and Gray Road; thence southeasterly along the center line of Stewart and Gray Road, the easterly prolongation of the center line of Stewart and Gray Road, and the center line of Stewart and Gray Road to the center line of Downey Avenue; thence northeasterly along the center line of Downey Avenue and following the same in all its various courses to the center line of Gallatin School House Road; thence southeasterly along the center line of Gallatin School House Road to the center line of Stoakes Avenue; thence northeasterly along the center line of Stoakes Avenue to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of the official bed of the San Gabriel River; thence southwesterly along the center line of said river and following the same in all its various courses to a point due East of an angle point in the boundary of the City of Long Beach, as same existed on above mentioned date, said angle point being at the intersection of the southwest line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the Surveyor of the County of Los Angeles, with the easterly prolongation of the southerly line of Tract No 5023, as shown on map recorded in Book 58, page 1, of Maps, in the office of the Recorder of said county, thence due west to said last mentioned angle point; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northeasterly corner of Harbor Avenue and Greenleaf Drive, said angle point being on the southerly boundary of the City of Compton, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwest corner of the intersection of Northwood Avenue and 168th Street; thence due south to the center line of 168th Street; thence westerly along the center line of 168th Street to the center line of Central Avenue; thence northerly along the center line of Central Avenue to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of Avalon Boulevard; thence northerly along the center line of Avalon Boulevard to the point of beginning, shall constitute the Sixty-ninth Assembly District

70. All that part of the County of Los Angeles within the following described boundaries.

Beginning at an angle point in the boundary of the City of Long Beach as same existed March 1, 1951, at or near the northeasterly corner of 70th Street and Orange Avenue; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the County of Los Angeles; thence southwesterly along the boundary of said county and following the same in all its various courses to the southerly prolongation of the center line of 16th Place; thence northerly along said last mentioned prolongation and center line of 16th Place to the center line of Ocean Boulevard; thence westerly along the center line of Ocean Boulevard to the center line of Cherry Avenue; thence northerly along the center line of Cherry Avenue to the center line of 4th Street, thence westerly along the center line of 4th Street to the center line of Orange Avenue; thence northerly along the center line of Orange Avenue to a point due west of an angle point in the boundary of said City of Long Beach at or near the northeasterly corner of 70th Street and Orange Avenue; thence due east to the point of beginning, shall constitute the Seventieth Assembly District.

71 The County of Riverside shall constitute the Seventy-first Assembly District.

72. Beginning at the intersection of the north line of Section 28, T. 3 N., R. 7 W., S B B. & M., San Bernardino County, State of California, with the county boundary line between San Bernardino and Los Angeles Counties; thence easterly along section lines to the northeast corner of Section 27 of aforesaid T. 3 N. R 7 W.; thence southerly along section line to the southeast corner of said Section 27; thence easterly along section lines to the northeast corner of the west one-half of Section 31, T. 3 N., R. 6 W.; thence southerly along the east line of the west one-half of said Section 31 to the

southeast corner thereof; thence easterly along the township line between Townships 2 and 3 north to the northeast corner of Section 5, T. 2 N., R. 6 W.; thence southerly along section line to the southeast corner of said Section 5; thence easterly along section line to the northeast corner of Section 9, same township and range; thence southerly along section line to the northwest corner of the south one-half of Section 10, same township and range; thence easterly along the north line of the south one-half of said Section 10 to the northeast corner thereof; thence southerly along section line to the southeast corner of said Section 10, thence easterly along section line to the northeast corner of the west one-half of Section 14, same township and range; thence southerly along the east line of the west one-half of said Section 14 and Section 23, same township and range, to the southeast corner of the west one-half of said Section 23; thence easterly along section lines to the northeast corner of Section 25, same township and range; thence southerly along the range line between Ranges 5 and 6 west to the northwest corner of Section 31, T. 2 N., R. 5 W.; thence easterly along section line to the northeast corner of said Section 31; thence southerly along section line to the southeast corner of said Section 31; thence westerly along township line between townships 1 and 2 north to the northeast corner of Section 6, T. 1 N., R. 5 W.; thence southerly along the east line of said Section 6 and along the extension of said line southerly to an intersection with the center line of the main channel of Lytle Creek; thence southeasterly following the center line of the main channel of said Lytle Creek to an intersection with the range line between Ranges 4 and 5 west; thence southerly along said range line to an intersection with the center line of Base Line Street; thence easterly along said Base Line Street to an intersection with the center line of Sterling Avenue; thence southerly along the center line of said Sterling Avenue to an intersection with the center line of the main channel of the Santa Ana River; thence southwesterly along the center line of the main channel of said Santa Ana River to an intersection with the county boundary line between San Bernardino and Riverside Counties; thence westerly, northerly and westerly following said boundary line between San Bernardino County and the Counties of Riverside, Orange and Los Angeles along its various courses to an intersection with the north line of aforesaid Section 28, T. 3 N., R. 7 W., S.B.B. & M., being the place of beginning.

73. All that portion of the County of San Bernardino not included within the Seventy-second Assembly District, as fixed and defined by this section, shall constitute the Seventy-third Assembly District.

74. All that portion of the County of Orange lying south and east of the middle of the channel of the Santa Ana River shall constitute the Seventy-fourth Assembly District

75. All that portion of the County of Orange not included in the Seventy-fourth Assembly District, as fixed and defined by this section, shall constitute the Seventy-fifth Assembly District.

76. The County of Imperial shall constitute the Seventy-sixth Assembly District.

77. All that portion of the County of San Diego, including all that portion of the City of San Diego, not included within the Seventy-eighth and Seventy-ninth Districts, as fixed and defined by the section, and included within the following described boundary lines to wit: Lying northerly and westerly of the point of intersection of the westerly prolongation of the center line of 30th Street, National City, with the shore line of the Bay of San Diego; thence running easterly along said center line of 30th Street, National City, to its intersection with the center line of Sweetwater Road (County Road Surveys Nos. 471 and 558) thence running in a general easterly direction along said center line of Sweetwater Road to its intersection with the most southwesterly boundary line of Spring Valley Precinct 5; thence running easterly along the southerly boundary lines of Spring Valley Precincts 5 and 6 to the latter's intersection with the easterly boundary line of Spring Valley Precinct 6; thence running northerly along said easterly boundary line of said Spring Valley Precinct 6 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running westerly along the northerly boundary line of said Spring Valley Precinct 6 to its intersection with the westerly boundary line of Oro Precinct 1; thence running northerly along said westerly boundary line of said Oro Precinct 1 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running in a general northerly direction along the northerly boundary lines of Spring Valley Precincts 6 and 1 to the latter's intersection with the westerly boundary line of Helix Precinct 1; thence running northerly along said westerly boundary line of Helix Precinct 1 to its intersection with the northerly boundary line of said Helix Precinct 1; thence running easterly along said northerly boundary line of Helix Precinct 1 to its intersection with the westerly boundary lines of Helix Precincts 2 and 5, thence running northerly along said westerly boundary lines of Helix Precincts 2 and 5 to the former's intersection with the easterly boundary line of Murray Precinct 1; thence running northerly and northwesterly along said easterly boundary line of Murray Precinct 1, to its intersection with the most southeasterly corner of Encinitas Township; thence running northerly, easterly and westerly along the easterly boundary lines of Encinitas, Escondido

and Fallbrook Townships to the latter's intersection with the northerly boundary line of the County of San Diego and including all of the Townships of Encinitas, Oceanside Vista, Escondido and Fallbrook as such existed on March 1st, 1951, shall constitute the Seventy-seventh Assembly District.

78. All that portion of the County of San Diego included and being in the incorporated limits of the City of San Diego, as the same existed on January 1, 1941, and included within the following described boundary lines, to wit. Lying northerly and westerly of the center line of Commercial Street, at its westerly end, to wit: At the Bayshore line; thence running easterly along said center line of Commercial Street to its intersection with the center line of Twenty-fifth Street; thence running northerly along said center line of Twenty-fifth Street to its intersection with the center line of Imperial Avenue; thence running westerly along said center line of Imperial Avenue to its intersection with the center line of Twenty-fourth Street; thence running northerly along said center line of Twenty-fourth Street to its intersection with the center line of B Street; thence running westerly along said center line of B Street to its intersection with the center line of Twenty-third Street; thence running northerly along said center line of Twenty-third Street to its intersection with the center line of A Street; thence running easterly along said center line of A Street to its intersection with the center line of Twenty-eighth Street; thence running northerly along said center line of Twenty-eighth Street to its intersection with the center line of Upas Street; thence running westerly along said center line of Upas Street to its intersection with the center line of Park Boulevard; thence running northerly along said center line of Park Boulevard to its intersection with the center line of Myrtle Street; thence running easterly along said center line of Myrtle Street to its intersection with the center line of Indiana Street; thence running northerly along said center line of Indiana Street to its intersection with the center line of Cypress Street; thence running westerly along said center line of Cypress Street to its intersection with the center line of Park Boulevard; thence running northerly along said center line of Park Boulevard to its intersection with the center line of Adams Street; thence running northerly along an extension of the center line of Park Boulevard to its intersection with the center line of El Camino del Rio; thence running easterly along the center line of El Camino del Rio to its intersection with the city boundary line and except that portion of the City of San Diego lying north of a line commencing at the Pacific Ocean Shoreline and thence running easterly along the north boundary line of Precinct 56 to the intersection of said boundary line with the westerly boundary line of Precinct 54A; thence running northerly along said westerly boundary line to its intersection with the north boundary line of Precinct 53; thence running easterly along the north boundary lines of Precincts 53, 52 and 51 to the intersection of the north boundary line of Precinct 51 with its easterly boundary line; thence running southerly along said easterly boundary line of Precinct 51 to its intersection with the north boundary line of Precinct 30; thence running easterly along the north boundary lines of Precincts 30, 29 and 27 as the above enumerated precincts were defined and effective on January 1, 1950, and thence running southeasterly to the intersection of the City of San Diego limit at its intersection with Cabrillo Freeway, shall constitute the Seventy-eighth Assembly District.

79. All that portion of the County of San Diego, included and being within the incorporated limits of the City of San Diego as the same existed on January 1, 1941, which is not included within the Seventy-eighth Assembly District as fixed and defined by this section except that portion of the City of San Diego which was included in Precincts designated as Kensington 1, 2, 3 and 451 to 464, inclusive, as such precincts were defined and effective upon January 1, 1950, but including that portion of Lemon Grove Precinct 1 and Greenwood Precinct lying wholly within the incorporated limits of the City of San Diego, shall constitute the Seventy-ninth Assembly District.

80. All that portion of the County of San Diego, not included within the Seventy-seventh, Seventy-eighth and Seventy-ninth Assembly Districts, as fixed and defined by this section, including all of the City of Coronado within its incorporated limits as the same existed on March 1, 1951 and North Island shall constitute the Eightieth Assembly District.

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 42

Assembly Bill No. 42—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 471 to", and insert "repeal existing Section 470 of, and to add new Section 470 to,".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Congressional".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "471 is added to", and insert "470 of".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ", to read:", and insert "is repealed."

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC. 2. Section 470 is added to said code, to read:

470. The State is divided into 30 congressional districts which are designated and constituted as follows:

1. The Counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin, Napa and Lake shall constitute the First Congressional District.

2. The Counties of Siskiyou, Shasta, Modoc, Lassen, Amador, Tehama, Butte, Sierra, Inyo, Mono, Nevada, Alpine, Mariposa, Calaveras, Tuolumne, Plumas, El Dorado, Placer and Trinity shall constitute the Second Congressional District.

3. The Counties of Glenn, Colusa, Sutter, Yuba, Yolo and Sacramento shall constitute the Third Congressional District.

4. All that portion of the City and County of San Francisco comprising the Nineteenth, Twenty-first and Twenty-second Assembly Districts shall constitute the Fourth Congressional District.

5. All that portion of the City and County of San Francisco not included in the Fourth Congressional District shall constitute the Fifth Congressional District.

6. The Counties of Solano and Contra Costa shall constitute the Sixth Congressional District.

7. All that portion of the County of Alameda comprising the Sixteenth, Seventeenth and Eighteenth Assembly districts shall constitute the Seventh Congressional District.

8. All that portion of the County of Alameda not included in the Seventh Congressional District shall constitute the Eighth Congressional District.

9. The County of San Mateo shall constitute the Ninth Congressional District.

10. The Counties of Santa Clara, Santa Cruz, and San Benito shall constitute the Tenth Congressional District.

11. The Counties of San Joaquin and Stanislaus shall constitute the Eleventh Congressional District.

12. The Counties of Merced, Madera and Fresno shall constitute the Twelfth Congressional District.

13. The Counties of Monterey, San Luis Obispo, Santa Barbara and Ventura shall constitute the Thirteenth Congressional District.

14. The Counties of Kings, Tulare and Kern shall constitute the Fourteenth Congressional District.

15. All that portion of the County of Los Angeles comprising the Fifty-eighth, Sixty-third and Sixty-fifth Assembly Districts shall constitute the Fifteenth Congressional District.

16. All that portion of the County of Los Angeles comprising the Fifty-ninth and Sixtieth Assembly Districts shall constitute the Sixteenth Congressional District.

17. All that portion of the County of Los Angeles comprising the Forty-sixth, Sixty-seventh and Sixty-eighth Assembly Districts shall constitute the Seventeenth Congressional District.

18. All that portion of the County of Los Angeles comprising the Forty-fourth and Seventieth Assembly Districts shall constitute the Eighteenth Congressional District.

19. All that portion of the County of Los Angeles comprising the Fortieth, Forty-fifth and Fifty-first Assembly Districts shall constitute the Nineteenth Congressional District.

20. All that portion of the County of Los Angeles comprising the Forty-third and Forty-seventh Assembly Districts shall constitute the Twentieth Congressional District.

21. All that portion of the County of Los Angeles comprising the Forty-first, Forty-second and Forty-eighth Assembly Districts shall constitute the Twenty-first Congressional District.

22. All that portion of the County of Los Angeles comprising the Fifty-seventh and Sixty-fourth Assembly Districts shall constitute the Twenty-second Congressional District.

23. All that portion of the County of Los Angeles comprising the Fifty-second, Fifty-fifth and Sixty-ninth Assembly Districts shall constitute the Twenty-third Congressional District.

24. All that portion of the County of Los Angeles comprising the Fifty-fourth and Fifty-sixth Assembly Districts shall constitute the Twenty-fourth Congressional District.

25 All that portion of the County of Los Angeles comprising the Forty-ninth, Fiftieth and Fifty-third Assembly Districts shall constitute the Twenty-fifth Congressional District.

26. All that portion of the County of Los Angeles comprising the Sixty-first, Sixty-second and Sixty-sixth Assembly Districts shall constitute the Twenty-sixth Congressional District.

27. The County of San Bernardino shall constitute the Twenty-seventh Congressional District

28 The County of Orange and all that part of the County of San Diego comprising the Seventy-seventh Assembly District shall constitute the Twenty-eighth Congressional District

29. The Counties of Riverside and Imperial and all that portion of the County of San Diego comprising the Eightieth Assembly District shall constitute the Twenty-ninth Congressional District.

30. All that portion of the County of San Diego comprising the Seventy-eighth and Seventy-ninth Assembly Districts shall constitute the Thirtieth Congressional District."

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER. Your Committee on Agriculture. to which were referred.

Assembly Bill No. 2484
Assembly Bill No. 2764
Assembly Bill No. 968
Assembly Bill No 1633
Assembly Bill No. 1634
Assembly Bill No. 2717

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 736

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 457
Assembly Bill No. 2809
Assembly Bill No. 2938

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 743

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No 2447

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER. Your Committee on Agriculture, to which were referred:

Assembly Bill No. 381
Assembly Bill No. 2258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 606
Assembly Bill No. 1091
Assembly Bill No. 1203
Assembly Bill No 2760

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No 341
Assembly Bill No. 605
Assembly Bill No 1089
Assembly Bill No. 1090
Assembly Bill No. 1200
Assembly Bill No. 1201
Assembly Bill No. 1202
Assembly Bill No. 1276
Assembly Bill No 1277
Assembly Bill No. 2047
Assembly Bill No. 2450
Assembly Bill No. 2718
Assembly Bill No 2752

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. Your Committee on Judiciary, to which were referred

Assembly Bill No. 93
Assembly Bill No. 455
Assembly Bill No 1093

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

BROWN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Judiciary, to which was referred:

Assembly Bill No 1158

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1254
Assembly Bill No. 1377
Assembly Bill No. 1683

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1665

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Ways and Means.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1905
Assembly Bill No. 2319
Assembly Bill No. 2320
Assembly Bill No. 2321
Assembly Bill No. 3021

Has had the same under consideration, and reports the same back with the recommendation: Do pass

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred

Assembly Bill No. 944
Assembly Bill No 1492
Assembly Bill No 2318

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 87

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 57
Senate Bill No. 104
Senate Bill No. 105
Senate Bill No. 106
Senate Bill No. 178
Senate Bill No. 217
Senate Bill No. 231
Senate Bill No 355
Senate Bill No. 389
Senate Bill No 867
Senate Bill No. 876
Senate Bill No. 897
Senate Bill No. 909
Senate Bill No. 910
Senate Bill No. 911
Senate Bill No. 916
Senate Bill No. 963
Senate Bill No. 970
Senate Bill No. 1210
Senate Bill No. 1211

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 57—An act to repeal Section 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved by the Governor July 17, 1947, relating to property under the control of the Sixth District Agricultural Association which is used for housing.

Referred to Committee on Ways and Means.

Senate Bill No. 104—An act to amend Sections 88, 92, and 92.5 of the Agricultural Code, relating to district agricultural fairs.

Referred to Committee on Agriculture.

Senate Bill No. 105—An act to amend Sections 19622, 19626, and 19628 of the Business and Professions Code, relating to allocation of moneys in the Fair and Exposition Fund.

Referred to Committee on Agriculture.

Senate Bill No. 106—An act to amend Section 5154 of the Public Resources Code, relating to county fairs.

Referred to Committee on Agriculture.

Senate Bill No. 178—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 217—An act to add Section 11007.5 to the Government Code, relating to the insurance of state property.

Referred to Committee on Finance and Insurance.

Senate Bill No. 231—An act to amend Section 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 355—An act to amend Section 26749 of the Government Code, relating to transportation of prisoners or patients to state prisons, hospitals or other institutions.

Referred to Committee on Municipal and County Government.

Senate Bill No. 389—An act to add Section 20983.1 to the Government Code, relating to retirement of local members of the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 867—An act to add Section 15427 to the Revenue and Taxation Code, relating to the specific exemption allowable under the Gift Tax Law.

Referred to Committee on Revenue and Taxation

Senate Bill No. 876—An act to add Section 13011 to the Government Code, relating to the powers and duties of the Director of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 897—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Referred to Committee on Boards and Commissions.

Senate Bill No. 909—An act to amend Section 14032 of the Government Code, relating to the Division of Architecture Revolving Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 910—An act to add Section 15106 to the Government Code, relating to the leasing of facilities for connection with the State's Teletypewriter System.

Referred to Committee on Municipal and County Government

Senate Bill No. 911—An act to add Section 16376 to the Government Code, relating to funds deposited in trust in the State Treasury for the California State Historical Association

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 916—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 970—An act to amend Sections 11270 and 11271 and to repeal Sections 18750, 18751, 18752, and 18753 of the Government Code, relating to charges for administrative costs.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1210—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 143—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 234—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 243—An act to amend Section 27285 of the Government Code, relating to the recording of documents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 244—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments

Bill read second time, and ordered engrossed.

Assembly Bill No. 367—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 659—An act to amend Section 27 of the Probate Code, relating to those who may take by will.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1823—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1825—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1827—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2182—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to marriage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 323—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 324—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 325—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses

Bill read second time, and ordered engrossed.

Assembly Bill No. 326—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Bill read second time, and ordered engrossed

Assembly Bill No. 328—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 330—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 334—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 336—An act to add Section 16 1 to the Check Sellers and Cashers Act, relating to advertising

Bill read second time, and ordered engrossed.

Assembly Bill No. 337—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 338—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 339—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Bill read second time, and ordered engrossed

Assembly Bill No. 1886—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1888—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1920—An act to amend the Personal Property Brokers Act, relating to the taking and using of chattel mortgages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2516—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2518—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2820—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank

representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of the Banking Code, to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 45—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 822—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 828—An act making an appropriation to the Regents of the University of California for the purpose of searching for, collecting and rearing natural enemies (parasites) of western grape skeletonizer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 829—An act making an appropriation to the Regents of the University of California for the purpose of collecting, and conducting research work on, the beet leafhopper and the natural enemies thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 25, of the printed bill, after "district", insert "who has not heretofore been fingerprinted by the agency by whom he is employed and his fingerprints filed with the Federal Bureau of Investigation".

Amendment No. 2

On page 2, line 32, of the printed bill, following "employed", insert ", other than on a temporary basis, not exceeding 30 days,".

Amendment No. 3

On page 2, lines 29 and 30, of the printed bill, after "article", strike out "shall be guilty of a misdemeanor and".

Amendment No. 4

On page 2, line 14, of the printed bill, after "Investigation ", insert "There shall be no charge to the person fingerprinted."

Amendment No. 5

On page 1, line 26, of the printed bill, after "city", strike out "and district agency", and insert ", city and county, district or agency".

Amendment No. 6

On page 2, line 3, of the printed bill, after "city", strike out "or district agency", and insert ", city and county, district or agency".

Amendment No. 7

On page 2, lines 24 and 25, of the printed bill, after "city", strike out "or district agency", and insert ", city and county, district or agency".

Amendment No. 8

On page 2, line 32, of the printed bill, after "city", strike out "or district agency", and insert "city and county, district or agency".

Amendment No. 9

On page 2, line 28, of the printed bill, strike out ", neglects.".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "90", and insert "45".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "90", and insert "45"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "to", insert "its by-laws or".

Amendment No. 2

On page 1, line 13, of the printed bill, after "by", insert "its by-laws or"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2620—An act to amend Section 27289 of the Government Code, relating to the recording of documents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, after "An act to", strike out "amend", and insert "repeal".

Amendment No. 2

On page 1 of the printed bill, strike out lines 2 to 17, inclusive, and insert "repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 28—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on January 19, 1951, after "appropriation to", insert "Mono County from".

Amendment No. 2

In line 5 of the title of said bill, after "therefore", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, between the enacting clause and line 1, insert

"SECTION 1. There is hereby appropriated out of those funds in the Emergency fund specified in Item 277 of the Budget Act of 1950, appropriated by Chapter 13 of the Statutes of 1951, the sum of seventy-five thousand five hundred dollars ($75,500) to the County of Mono to construct a new bridge on County Road #606 and to construct a new bridge, remove an old bridge and provide channel protection and grade approach work on County Road #604 necessitated by flood damage.

SEC. 2. The Legislature hereby declares that the appropriation is made in aid of the maintenance of county highways in accordance with Section 36 of Article IV of the Constitution of California.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Many of the people in Mono County have been isolated from their schools, stores, shops, and means of livelihood because of the destruction of and damage to bridges on county roads caused by floods during the past winter. It is necessary to the public health and safety that these county roads be restored to use at the earliest possible date. Weather conditions now permit the immediate commencement of the repair work and it is therefore necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 50, inclusive; and on page 3, strike out lines 1 to 5, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 72—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 38, of the printed bill, strike out "total cost", and insert "purchase price".

Amendment No. 2

On page 2, line 42, of the printed bill, strike out "cost" where it appears for the second time at the end of the line, and insert "sum of the purchase price".

Amendment No. 3

On page 2, line 43, of the printed bill, after "department", insert "and any amount the department is required under Section 986.9 of this code to add to the purchase price of the home in fixing the selling price thereof to the veteran,".

Amendment No. 4

On page 2, line 45, of the printed bill, strike out "cost", and insert "purchase price".

Amendment No. 5

On page 3, line 1, of the printed bill, strike out "cost of the farm to the department," and insert "sum of such purchase price to the department or contract price to the department and any amount which the department is required under Section 986.9 of this code to add to such purchase or contract price to the department in fixing the selling price of the farm to the veteran,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2522—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 11 to 29, inclusive, and insert "Impose fines:

In case of failure of members to make payments on shares, loans or other accounts when due, in excess of 1 percent per month or fraction of a month on amounts due, except that no fine shall be less than five cents (.05)."

Amendment No. 2

On page 3 of the printed bill, strike out lines 6 to 24, inclusive, and insert

"14852. No credit union shall impose fines in case of failure of members to make payments on shares, loans or other accounts when due, in excess of 1 percent per month or fraction of a month on amounts due, except that no fine shall be less than five cents (.05)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2823—An act to amend Subdivision First of Section 4 of the Industrial Loan Act and/or Subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18663 and 18665 of the Financial Code, relating to industrial loan companies and the power to loan and the installment investment certificates with loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Subdivision 1 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "18663", and insert "18405, 18663, 18664".

Amendment No. 3

Strike out lines 4, 5, and 6 of the title of said bill, insert "Code, relating to penalties and powers applicable to industrial loan companies."

Amendment No. 4

On page 1, line 12, of said bill, after the period, insert "the loan contracts of three hundred dollars ($300) or less or certificates of investment issued in connection with such loans shall require substantially uniform weekly, semi-monthly, or monthly payments over the period of the loan, with the final payment not payable until the maturity date of the loan. The borrower may purchase certificates of investment issued in connection with loans of a face value not exceeding the face amount of the loan simultaneously with each loan transaction and shall pledge the certificate with the corporation as security for the loan.

Second—To sell or negotiate investment certificates either in certificates, or in receipt book form, in addition to the sale of installment investment certificates with loans, for the payment of money at any time, either fixed or uncerain, and to receive payments therefor in installments or otherwise, with or without an allowance of interest upon such installments. Nothing herein contained shall be construed to authorize corporations hereunder to receive deposits or to issue certificates of deposit. The investment certificates herein authorized shall bear the indorsement on the face of the instrument, "This Is Not a Certificate of Deposit."

Third—The term "Charges" as used in this act, includes the aggregate interest, fees, bonuses, commissions, brokerage, discounts, expenses, and other forms of costs charged, contracted for, or received by an industrial loan company or any other person in connection with the investigating, arranging, negotiating, procuring, guaranteeing, making, servicing, collecting and enforcing of a loan or [for] forbearance of money, credit, goods or things in action, or any other service or services rendered.

However, it is hereby provided that the charges by an industrial loan company, broker and all other persons on any loan, forbearance of money, credit, goods or things in action under this act, shall not exceed in the aggregate 2½ percent per month on that portion of the unpaid principal balance up to, including but not in excess of one hundred dollars ($100), 2 percent per month on that portion of the unpaid principal balance in excess of one hundred dollars ($100) up to, including but not in excess of three hundred dollars ($300), and 10 percent per annum on that portion of the unpaid

principal balance in excess of three hundred dollars ($300). If, however, in connection with any loan, insurance is taken in favor of the industrial loan company, the total amount which may be contracted for and received for interest, brokerage and all other charges shall not exceed in the aggregate 2 percent per month on that portion of the unpaid principal balance up to, including but not in excess of three hundred dollars ($300) and 10 percent per annum on that portion of the unpaid principal balance in excess of three hundred dollars ($300). For the purpose of computing the charges set forth in this paragraph, a month shall be any period of 30 consecutive days. All payments made by the borrower on the installment investment certificates purchased by the borrower in connection with the making of the loan shall be regarded as payments on the loan and shall be applicable, first, to interest and all other charges within the maximum statutory rate provided in this paragraph and, secondly, to reduction of the unpaid principal of the loan advanced to the borrower in determining the "Unpaid Principal Balance" as hereinabove referred to.

However, it is provided that nothing in this section denies the right to the industrial loan company in addition to interest, brokerage and all other charges herein provided to contract for, collect and receive at the time of making the loan or at any time thereafter, the statutory fee paid by it to any public officer for acknowledging, filing, recording or releasing in any public office any instrument securing the loan or executed in connection therewith. Also, nothing in this section prohibits the lender from collecting in addition to the interest, brokerage and all other charges herein provided the costs for insurance, of tangible personal or real property offered as security for a loan, reasonably insured against loss for a reasonable term considering the circumstances of the loan; provided, such insurance is sold at standard rates through a duly licensed insurance agent.

The term "Unpaid Principal Balance" as used in this act shall mean the net amount of money, credit, goods or things in action received by the borrower at the time of entering into the transaction and the decreasing balances thereof after application in accordance with the provisions of this act of each payment made on the obligation.

Nothing in this section shall deny the right to any industrial loan company, in addition to all other charges herein provided, in the enforcing and collecting of a delinquent loan of an unpaid principal balance in excess of three hundred dollars ($300):

(a) To collect and receive the court costs and reasonable attorneys' fees allowed by a court in a judgment against a defaulting debtor:

(b) To contract for, collect and receive the bona fide expenses actually incurred and paid by the industrial loan company, not exceeding 10 percent of the unpaid principal balance of the loan where no judgment at law is sought.

No charge shall be collected unless a loan shall have been made. Whenever the interest and/or charges deducted in advance shall exceed the maximum provided by this section, by reason of subsequent repayment of the loan or any portion thereof prior to maturity or prepayment of installments on the investment certificate purchased with the loan, such excess shall be refunded to the borrower or credited on any balance owing by the borrower to the company.

Fourth—To establish offices or places of business within the State of California.

Fifth—To purchase, sell or discount bona fide trust receipts, choses in action, secured or unsecured, chattel mortgages or conditional sales contracts, which shall have a maturity within [two] *three* years from the date of said purchase.

Sixth—To make loans, purchase or discount notes, mortgages, contracts or other commercial paper, which loans or commercial paper are insured by the Federal Housing Administrator, Veterans' Administration, or other federal agency. Loans so insured may be made for a term up to but not to exceed 20 years

In addition to the powers herein enumerated, every corporation under the provisions of this act shall have the general powers conferred upon corporations by [Chapter 10, Title 1, Part 4, Division 1 of the Civil Code] *the General Corporation Law* except as herein otherwise provided."

Amendment No. 5

On page 2 of said bill, after line 15, insert

"SEC 3. Section 18405 of the Financial Code is amended to read.

18405. An industrial loan company may purchase, sell or discount bona fide trust receipts, secured or unsecured choses in action, chattel mortgages or conditional sales contracts, which have a maturity within [two] *three* years from the date of purchase."

Amendment No. 6

On page 2, line 16, of said bill, strike out "SEC 3", and insert

"SEC. 4".

Amendment No. 7

On page 2 of said bill, after line 22, insert

"SEC. 5. Section 18664 of the Financial Code is amended to read:

18664. *Loan contracts of $300 or less* or [certificates] *certificates* of investment *executed or* issued in connection with such loans shall require *substantially* uniform weekly, semi-monthly, or monthly payments over the period of the loan, with the final payment not payable until the maturity date of the loan."

Amendment No. 8

On page 2, line 23, of said bill, strike out "SEC. 4", and insert "SEC. 6".

Amendment No. 9

On page 2 of said bill, strike out lines 30 to 34, inclusive, and insert

"SEC. 7. Sections 2, 3, 4, 5, and 6 of this act become operative only if Division 7 of the Financial Code is enacted by the Legislature at its 1951 Regular Session and in such case at the same time as said Division 7 takes effect, at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "signal," insert "or wilfully and maliciously sends, gives, transmits, or sounds any false alarm of fire, by means of any public fire alarm system or signal,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2664—An act to amend Sections 3017 and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, following line 27, insert

"SEC. 2. Section 3018 of the Civil Code is amended to read as follows:

3018. An assignment of an account is entitled to priority over any subsequent assignment of the same account; provided, that as between two or more assignees who receive written assignments for value without notice, the assignee whose notice of assignment or of intention to assign, is first filed as provided in this chapter is entitled to priority over all other assignees of the same account

Except as to any credit extended by a creditor after the notice provided for in this chapter is filed, an assignment of an account shall be invalid as against any creditor of the assignor without actual notice unless notice of or of intention to make the assignment as provided for in this chapter is filed at the time of or before the execution of the assignment or within five days thereafter.

A debtor, irrespective of the provisions of this chapter, until notified by the assignor or the assignee not to do so, may pay or otherwise deal in good faith with the

assignor, his agent for collection, or any person who has succeeded to the assignor's interest, and shall have as against the assignee, any right of set-off, counter-claim or defense against such assignor or person existing in his favor at the time he is so notified."

Amendment No. 2

On page 2 of the printed bill, strike out lines 2 to 5, inclusive, and insert

"3019. Notice of an assignment or of intention to assign an account or accounts may be filed in the office of the filing officer. Such notice shall not be effective unless:".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "Unless such", and insert "The".

Amendment No. 4

On page 2, line 8, of the printed bill, strike out "Unless such", and insert "The".

Amendment No. 5

On page 2 of the printed bill, strike out lines 12 to 18, inclusive.

Amendment No. 6

On page 2, line 19, of the printed bill, strike out "A", and insert "The notice is signed by the assignor and assignee and contains a".

Amendment No. 7

On page 2, line 25, of the printed bill, strike out "expects", and insert "intends".

Amendment No. 8

On page 2, line 28, of the printed bill, strike out "expects", and insert "intends".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1313—An act to alleviate conditions caused by the presence in this State of large numbers of persons in the Armed Forces by providing recreational facilities therefor, and to make an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 6, of the printed bill, after the period, insert "Expenditures under this act shall be audited by the State Controller."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 991—An act to amend Section 10494.5 of the Insurance Code, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", or to his em-"; and strike out all of lines 4 and 5.

Amendment No. 2

On page 1, line 6, of said bill, strike out "the same household.".

Amendment No. 3

On page 1, line 7, of said bill, strike out "50", and insert "25".

Amendment No. 4

On page 1, lines 8 and 9, of said bill, strike out "the benefits paid to his employees", and insert "maintaining such employee benefit plan".

Amendment No. 5

On page 1, line 12, of said bill, before the period, insert "and provided 75 percent or more of the eligible employees have enrolled in such plan".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 992—An act to amend Sections 450 and 451 of, and to add Section 452.1 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "or", and insert "and".

Amendment No. 2

On page 1, line 9, of said bill, strike out "or both,".

Amendment No. 3

On page 1, line 18, of said bill, after "plan", insert ", either insured or self-insured,".

Amendment No. 4

On page 2 of said bill, between lines 15 and 16, insert

"If the plan does not provide for the assumption of the liability of the applicant, whether employer, a group of employers or employees, by an admitted disability insurer the plan shall be required to have met the requirements for approval of the California Employment Stabilization Commission and shall not be required to have been approved by the Insurance Commissioner."

Amendment No. 5

On page 2 of said bill, strike out lines 32 to 36, inclusive, and insert

"SEC. 452.1. To the extent that this article provides for voluntary plans not underwritten by an admitted disability insurer the provisions of the Insurance Code relating to disability benefits shall be inapplicable to such plans and the California Employment Stabilization Commission shall have jurisdiction of all matters of form and substance for such plans."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1676—An act to add Section 10203.8 to the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Sections 10203.5, 10209 and 10213 of, and".

Amendment No. 2

In line 1 of the title of said bill, before "the", insert a comma.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between the enacting clause and line 1, insert

"SECTION 1. Section 10203.5 of the Insurance Code is amended to read:

10203.5. (a) Life insurance conforming to all the following conditions is another form of group life insurance.

(1) Covering one of the following groups:

(A) All members are or become borrowers from one financial institution, including subsidiary or affiliated persons, under an agreement to repay the sum borrowed.

(B) All members are or become purchasers of [securities,] merchandise or other property under an agreement to pay the balance of the purchase price.

(2) The group numbers not less than 100 new entrants yearly.

(3) The amount insured on any one borrower or purchaser does not exceed the balance of the indebtedness to the institution or vendor and does not exceed ten thousand dollars ($10,000) on any one life.

(4) The repayment or payment of purchase price is to be made, under the agreement of loan or purchase, in installments over a period not exceeding 32 years.

(5) The policy is issued upon application of and made payable to the institution, vendor, or a creditor to whom such vendor may transfer title to the indebtedness, as beneficiary, and the premiums are paid by or through the institution, vendor, or such creditor.

(b) A policy of insurance conforming to the provisions of this section is not subject to the provisions of Section 10209 or 10213."

Amendment No. 4

On page 1, line 1, of said bill, strike out "SECTION 1", and insert "SEC. 2."

Amendment No. 5

On page 1 of said bill, after line 20, insert

"(e) The policy of insurance conforming to the provisions of this section is not subject to the provisions of Section 10209 or 10213.

SEC. 3. Section 10209 of the Insurance Code is amended to read:

10209. Except as provided by Sections 10203.5 [and], 10203.6 [,] *and 10203.8*, the policy shall contain a provision that the insurer will issue to the employer for delivery to the insured employee an individual certificate setting forth:

(a) A statement as to the insurance protection to which the employee is entitled and to whom payable.

(b) A provision that if the employment terminates for any reason whatsoever and the employee applies to the insurer within 31 days after such termination, paying the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age he is entitled, without producing evidence of insurability, to the issue by the insurer of any individual life policy in any one of the forms, other than term insurance, customarily issued by the insurer. This provision shall apply to any insurance issued pursuant to Section 10203.4 on the life of the spouse of an employee.

(c) A statement that such policy in lieu of group insurance will be in an amount equal to the amount of his protection under such group insurance at the time of such termination.

SEC. 4. Section 10213 of the Insurance Code is amended to read:

10213. Except as provided by Sections 10203.5 [and], 10203.6 [,] *and 10203.8*, a policy of group life insurance or the proceeds thereof paid to the insured employee or the beneficiary thereunder shall not be liable, either before or after payment, to be applied by any legal or equitable process to pay any liability of any person having a right under the policy. The proceeds thereof, when not made payable to a named beneficiary, shall not constitute a part of the estate of the employee for the payment of his debts."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by paraplegic veterans from the motor vehicle license fee.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "paraplegic", and insert "disabled".

Amendment No. 2

In line 4 of said bill, strike out "paraplegic veteran", and insert "veteran who has lost, or has lost the use of, both legs as a result of injury or disease suffered while on active service with the Military, Naval, or Air Forces of the United States".

Amendment No. 3

On page 1 of said bill, after line 6, insert

"The exemption granted by this section shall extend to not more than one vehicle owned by any veteran."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs

Assembly Bill No. 3155—An act to amend Section 565 of the Military and Veterans Code, relating to security and defense.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 565 of the Military and Veterans Code, relating to security and defense", and insert "making an appropriation, and providing for the hiring of personnel and the incurring of expenses, to carry out the purpose of the California Defense Production Act of 1951".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. There is hereby appropriated to the Governor out of the unappropriated money in the General Fund the sum of fifty thousand dollars ($50,000), or so much thereof as may be needed, for the payment of salaries and expenses in carrying out the purpose and provisions of the California Defense Production Act of 1951

SEC. 2. Within the limit of the appropriation made in Section 1, the Governor may hire personnel and incur expenses in order to carry out the purpose of said act and shall fix the compensation, terms and conditions of the employment of such personnel in accordance with law.

SEC. 3. The Governor may expend the money appropriated by Section 1 through his own office or may assign any or all of such money to other officers or agencies of the Government of this State for expenditure in furtherance of the purpose of said act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 69—An act to add Sections 9541.1 and 9544.1 to the Business and Professions Code, relating to licensees of the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "Cleaners", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 25, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Delay of veterans in returning to civilian occupations upon their separation from service places a great and undue burden upon the general economy, and the public policy of this State demands that such veterans not be imposed with delays amounting to penalties for their service to the United States. Clarification of the law is necessary to insure that veterans be protected in their return to civilian pursuits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 70—An act to add Section 8557 to the Business and Professions Code, relating to licensees of the Structural Pest Control Board entering the Armed Forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "forces", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 21, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Delay of veterans in returning to civilian occupations upon their separation from service places a great and undue burden upon the general economy, and the public policy of this State demands that such veterans not be imposed with delays amounting to penalties for their service to the United States. Clarification of the law is necessary to insure that veterans be protected in their return to civilian pursuits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs

Assembly Bill No. 68—An act to add Section 5082.6 to the Business and Professions Code, relating to the application of persons serving in the Armed Forces for registration as public accountant.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "accountant", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 10, insert

"SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Delay of veterans in returning to civilian occupations upon their separation from service places a great and undue burden upon the general economy, and the public policy of this State demands that such veterans not be imposed with delays amounting to penalties for their service to the United States. Clarification of the law is necessary to insure that veterans be protected in their return to civilian pursuits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Request for Unanimous Consent That Amendment Proposed by Mr. Hollibaugh to Assembly Bill No. 500 Be Considered

Mr. Sherwin asked for unanimous consent that an amendment being proposed by Mr. Hollibaugh to Assembly Bill No 500 be taken up ahead of proposed committee amendments, at this time.

Mr. Beck withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of considering an amendment being proposed by Mr. Hollibaugh to Assembly Bill No. 500, out of order, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lauterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—60.

NOES—None

Motion to Amend

Mr Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 84 of the printed bill, after line 52, insert

"SEC 3.1. The amounts appropriated in Items 273, 275, 278, 280, 282, 283, 285, 286, 287, 289, 292, 294, 296, 298, 300, 302, 305, 309, 317, 318, 320, 322, 324, 327, 328, 330, 331, 340, 341, 344, 345, 347, 348, 349, 352, 353, 354, 356, 357, 359, 360, 361,

387, and 390 shall be transferred to the Postwar Employment Reserve and no expenditures for any such items shall be made except pursuant to an appropriation hereafter authorized by the Legislature.

Amendment read.

Point of Order

Mr. Beck arose to the following point of order: That copies of Assembly Bill No. 500 are not on the desks of the members.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Assembly Bill No. 500 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 16

Mr Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 16, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 16

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border.

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules.

Amendment No. 1

In line 2 of the title of the printed measure, add the letter "s" to the word "highway", and strike out the balance of the line.

Amendment No. 2

Strike out all of line 3 of the title of said measure, except the period.

Amendment No. 3

On page 1, line 9, of said measure, strike out "and", and insert "now, therefore, be it".

Amendment No. 4

On page 1 of said measure, strike out lines 10, 11, and 12

Amendment No. 5

On page 1, line 17, of said measure, strike out "on that portion of the State"; and strike out lines 18 and 19

Amendment No. 6

On page 1, line 17, of said measure, after "grades", insert "and curves throughout the State; and be it further".

Amendments read, and adopted

Resolution ordered reprinted, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 25

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 25

Assembly Joint Resolution No. 25—Relative to continuing federal support for vocational education.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 1, of the printed measure, after "economy to", strike out "rob", and insert "deprive".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 35: By Messrs. Dunn, Caldecott, Rumford, Dickey, Beck, Berry, Brady, Brown, George D. Collins, Sam L. Collins, Connolly, Dolwig, Gaffney, Lincoln, Maloney, McCarthy, Meyers, and Sherwin—Relative to the death of Judge Herbert Wilson Erskine.

Referred to Committee on Rules.

Speaker Pro Tempore Presiding

At 10.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1534 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 1534 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 836

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 836, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 836

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections 12.1, 12.2, 13.1, 16, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "31, and 34", and insert "and 31".

Amendment No. 2

On page 3, line 51, of said bill, strike out "possess", and insert "possesses".

Amendment No. 3

On page 8, line 32, of said bill, after "ever", insert "the board shall find that".

Amendment No. 4

On page 10, line 33, of said bill, strike out "and to assume the costs of,".

Amendment No. 5

On page 10 of said bill, strike out lines 36 to 48, inclusive, and insert "for any purpose of the district, or a common benefit to lands within the district or its inhabitants".

Amendment No. 6

On page 12, line 8, of said bill, after "provided," insert "that in cases where work is not to be done by the district itself by force account, and the amount involved shall be ten thousand dollars ($10,000) or more, any contract for the doing of such work shall be let to the lowest responsible bidder, after publication, in the manner prescribed by the board, of notices inviting bids therefor, subject to the right of said board to reject any and all proposals; and provided further,".

Amendment No. 7

On page 24, line 11, of said bill, after "week", insert "for".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT CONSULTANTS BE SEATED ON FLOOR DURING CONSIDERATION OF ASSEMBLY BILL NO. 500

Mr. Sherwin asked for, and was granted, unanimous consent that the Director of the State Department of Finance, the Legislative Auditor, and other consultants relative to the Budget, be permitted to sit on the floor of the Assembly during consideration of Assembly Bill No. 500 and proposed amendments.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Sherwin asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of considering further proposed amendments to Assembly Bill No 500 prior to sending the bill to be reprinted, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 500

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Further Consideration of Amendment Proposed by Mr. Hollibaugh

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 84 of the printed bill, after line 52, insert

"SEC 3 1. The amounts appropriated in Items 273, 275, 278, 280, 282, 283, 285, 286, 287, 289, 292, 294, 296, 298, 300, 302, 305, 309, 317, 318, 320, 322, 324, 327, 328, 330, 331, 340, 341, 344, 345, 347, 348, 349, 352, 353, 354, 356, 357, 359, 360, 361,

387, and 390 shall be transferred to the Postwar Employment Reserve and no expenditures for any such items shall be made except pursuant to an appropriation hereafter authorized by the Legislature."

Amendment read, and adopted.

Consideration of Further Amendments
Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 14 of the printed bill, between lines 12 and 13, insert

"69.5—For additional support of Los Guilucus School for Girls, Youth Authority, for employment and salary of Head Farmer, Grade 1 ... 4,100".

Amendment read, and ordered passed on file without action at this time.

Request for Unanimous Consent That Amendment Be Considered Immediately After Consideration of Committee Amendments

Mr. McCollister asked for, and was granted, unanimous consent that his amendment, just passed on file, be considered immediately after the consideration of Item No. 69 of committee amendments to Assembly Bill No. 500, which comprises Amendments Nos 87, 88, 89, 90, and 91.

Request for Unanimous Consent That Amendments Be Considered Collectively

Mr. Sherwin asked for, and was granted, unanimous consent that Amendments Nos 1 to 29, inclusive, which are for purposes of classification, and carry no appropriations, be considered collectively, at this time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 3, line 2, of the printed bill, strike out "Council", and insert "Counsel".

Amendment No. 2

On page 3 of said bill, strike out lines 20 to 26, inclusive.

Amendment No. 3

On page 3 of said bill, after line 29, insert

"JUDICIAL".

Amendment No. 4

On page 6, line 19, of said bill, strike out "3,329,919", and insert "3,330,119".

Amendment No. 5

On page 7, line 31, of said bill, after "employees", strike out the period, and insert "or other agencies which by law are available for support of said agency."

Amendment No. 6

On page 11 of said bill, after line 16, insert "and in addition thereto any amounts returned by paroled or discharged prisoners in repayment of cash assistance advanced, which by law are available for support of said agency."

Amendment No. 7

On page 11 of said bill, after line 30, insert "and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department."

Amendment No. 8

On page 30, line 15, of said bill, strike out "for", and insert "from".

Amendment No. 9

On page 42 of said bill, after line 36, insert

"MILITARY AFFAIRS".

Amendment No. 10

On page 43, line 20, of said bill, strike out "54,788", and insert "54,778".

Amendment No. 11

On page 57 of said bill, after line 5, insert "and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said commission."

Amendment No. 12

On page 63 of said bill, after line 21, insert

"MISCELLANEOUS".

Amendment No. 13

On page 67 of said bill, after line 45, insert

"284 1—For acquisition of real property, California Youth Training School, Youth Authority, to be expended under provisions of the Property Acquisition Act ..... 300,000".

Amendment No. 14

On page 68, line 3, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 15

On page 68 of said bill, strike out line 5.

Amendment No. 16

On page 68, line 6, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 17

On page 68, line 8, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 18

On page 69, line 41, of said bill, strike out "186,550", and insert "186,500".

Amendment No. 19

On page 75, line 15, of said bill, strike out "127,000", and insert "127,200".

Amendment No. 20

On page 91, line 10, of said bill, strike out "1951", and insert "1952".

Amendment No. 21

On page 24, line 7, of said bill, strike out "2115.1", and insert "21155.1".

Amendment No. 22

On page 47, line 3, of said bill, strike out "restoratoin", and insert "restoration".

Amendment No. 23

On page 56, line 9, of said bill, strike out "Department", and insert "Departments".

Amendment No. 24

On page 57, line 13, of said bill, after "to", insert "Railroad Commission".

Amendment No. 25

On page 62, line 27, of said bill, strike out "Veterans", and insert "Veterans'".

Amendment No. 26

On page 5, line 14, of said bill, strike out the hyphen.

Amendment No. 27

On page 5, line 48, of said bill, strike out the hyphen

Amendment No. 28

On page 6, line 22, of said bill, strike out the hyphen.

Amendment No. 29

On page 6, line 41, of said bill, strike out the hyphen.

Amendments read, and adopted.

Further Consideration of Amendments Proposed by the Committee on Ways and Means

Division of the Question

By unanimous consent, Speaker pro Tempore Maloney ordered a division of the question.

Consideration of Amendments Nos. 30, 31, 32, and 33

Amendment No. 30

On page 3, line 3, of said bill, strike out "243,126", and insert "254,670".

Amendment No. 31

On page 3, line 8, of said bill, strike out "249,483", and insert "261,027".

Amendment No. 32

On page 3, line 12, of said bill, strike out "274,626", and insert "286,170".

Amendment No. 33

On page 3, line 19, of said bill, strike out "243,126", and insert "254,670".

Amendments read, and adopted.

Consideration of Amendment No. 34

Amendment No. 34

On page 4, line 10, of said bill, strike out "1,238,953", and insert "1,316,326".

Amendment read, and adopted.

Consideration of Amendments Nos. 35, 36, 37, 38, and 39

Amendment No. 35

On page 4, line 19, of said bill, strike out "217,608", and insert "209,024".

Amendment No. 36

On page 4, line 24, of said bill, strike out "321,853", and insert "351,769".

Amendment No. 37

On page 4, line 28, of said bill, strike out "397,608", and insert "427,524".

Amendment No. 38

On page 4, line 31, of said bill, strike out "180,000", and insert "218,500".

Amendment No. 39

On page 4, line 33, of said bill, strike out "217,608", and insert "209,024".

Amendments read, and adopted.

Consideration of Amendments Nos. 40, 41, 42, 43, 44, and 45

Amendment No. 40

On page 4, line 37, of said bill, strike out "1,365,575", and insert "1,359,238".

Amendment No. 41

On page 4, line 42, of said bill, strike out "1,179,032", and insert "1,173,260".

Amendment No. 42

On page 4, line 43, of said bill, strike out "251,798", and insert "251,311".

Amendment No. 43

On page 4, line 44, of said bill, strike out "23,985", and insert "23,907"

Amendment No. 44

On page 4, line 46, of said bill, strike out "1 454,815", and insert "1,448,478".

Amendment No. 45

On page 4, line 52, of said bill, strike out "1,365,575 ", and insert "1,359,238".

Amendments read, and adopted.

Consideration of Amendments Nos. 46, 47, 48, 49, and 50

Amendment No. 46

On page 5, line 3, of said bill, strike out "219,255", and insert "230,677".

Amendment No. 47

On page 5, line 8, of said bill, strike out "142,456", and insert "153,748"

Amendment No. 48

On page 5, line 10, of said bill, strike out "38,089", and insert "38,219".

Amendment No. 49

On page 5, line 12, of said bill, strike out "226,755", and insert "238,177".

Amendment No. 50

On page 5, line 16, of said bill, strike out "219,255", and insert "230,677".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Beck, Berry, Brown, Burke, Clarke, Coats, Conrad, Crowley, Davis, Dolwig, Doyle, Dunn, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stewart, Tomlinson, and Waters—39.

NOES—Babbage, Belotti, Burkhalter, Cloyed, Collier, George D. Collins, Hansen, Kelly, Levering, Lowrey, Luckel, McCarthy, McGee, Smith, and Thomas—15.

Consideration of Amendments Nos. 51, 52, 53, 54, and 55

Amendment No. 51

On page 5, line 34, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendment No. 52

On page 5, line 40, of said bill, strike out "3,210,000", and insert "3,222,222".

Amendment No. 53

On page 5, line 41, of said bill, strike out "1,647,401", and insert "1,653,086"

Amendment No. 54

On page 5, line 44, of said bill, strike out "4,951,770", and insert "4,969,677".

Amendment No. 55

On page 5, line 50, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendments read, and adopted.

Consideration of Amendments Nos. 56, 57, 58, and 59

Amendment No. 56

On page 6, line 27, of said bill, strike out "71,073", and insert "66,073".

Amendment No. 57

On page 6, line 35, of said bill, strike out "38,070", and insert "33,070".

Amendment No. 58

On page 6, line 38, of said bill, strike out "71,757", and insert "66,757".

Amendment No. 59

On page 6, line 43, of said bill, strike out "71,073", and insert "66,073".

Amendments read, and adopted.

Consideration of Amendment No. 60

Amendment No. 60

On page 6 of said bill, between lines 43 and 44, insert

"43 1—For augmentation of the Poultry Testing Project Fund payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code ..... 68,220 to be transferred by the State Controller to the Poultry Testing Project Fund."

Amendment read, and adopted.

Further consideration of Assembly Bill No 500 temporarily passed on file.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the gifts of oranges which have been placed upon the desks of all members and attaches have been sent by the National Orange Show, and distributed with the compliments of Messrs. Shaw and Hinckley, and expressed appreciation, on behalf of everyone, for this courtesy.

Speaker Presiding

At 11.29 a.m , Hon. Sam L Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that a picture will be taken of the Pages, upon recess, and requested all attaches to please remain for a few minutes to assist with the picture.

RESIGNATION FROM COMMITTEE

Speaker Sam L. Collins announced his resignation from the Committee on Elections and Reapportionment.

REAPPOINTMENT OF MEMBER TO COMMITTEE

Speaker Sam L. Collins announced the reappointment of Mr. Butters to membership on the Committee on Elections and Reapportionment, vice Mr. Sam L. Collins.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: *Your Committee on Legislative Procedure has examined:*

Assembly Bill No. 45	Assembly Bill No. 659
Assembly Bill No. 143	Assembly Bill No. 822
Assembly Bill No. 234	Assembly Bill No. 828
Assembly Bill No. 243	Assembly Bill No. 829
Assembly Bill No. 244	Assembly Bill No. 1823
Assembly Bill No. 323	Assembly Bill No. 1825
Assembly Bill No. 324	Assembly Bill No. 1827
Assembly Bill No. 325	Assembly Bill No. 1886
Assembly Bill No. 326	Assembly Bill No. 1888
Assembly Bill No 328	Assembly Bill No. 1920
Assembly Bill No 330	Assembly Bill No. 2182
Assembly Bill No. 334	Assembly Bill No. 2516
Assembly Bill No. 336	Assembly Bill No. 2518
Assembly Bill No. 337	Assembly Bill No. 2820
Assembly Bill No. 338	Assembly Bill No. 3107
Assembly Bill No 339	Assembly Bill No. 3108
Assembly Bill No. 367	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.30 a.m., on motion of Mr. McCollister, the Assembly recessed until 1 30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred

Assembly Bill No. 176
Assembly Bill No. 254
Assembly Bill No. 352
Assembly Bill No. 353
Assembly Bill No. 1688
Assembly Bill No 1702

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1312
Assembly Bill No 2064
Assembly Bill No 2204
Assembly Bill No 3222

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. Your Committee on Public Health, to which was referred:

Assembly Bill No. 3221

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation, and re-refer to Committee on Ways and Means

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No 1638
Assembly Bill No. 2673
Assembly Bill No. 2674
Assembly Bill No. 2677
Assembly Bill No 2679

Has had the same under consideration, and reports the same back with the recommendation Do pass

CONNOLLY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER Your Committee on Public Health, to which were referred

Assembly Bill No. 1053
Assembly Bill No 1204
Assembly Bill No. 3082

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 2672
Assembly Bill No. 2676
Assembly Bill No. 2678

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 831

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT FIVE OPINIONS OF THE LEGISLATIVE COUNSEL RELATIVE TO REAPPORTIONMENT BE PRINTED IN THE JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that five opinions of the Legislative Counsel relative to reapportionment be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, October 20, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

ASSEMBLY DISTRICTS—NO. 2681

DEAR MR. WATERS:

Question

You have asked whether Section 6 of Article IV of the California Constitution, relating to reapportionment of legislative districts, requires that each assembly district after the first must be geographically located southward of the district preceding it in numerical order. That is to say, for example, if a bill was introduced which would locate Assembly District No. 10 20 miles south of Assembly District No. 20, would such a bill be invalid?

Opinion

We answer your question in the negative.

With respect to the numbering of Assembly districts, it is our opinion that Section 6 of Article IV requires only that such districts be numbered from 1 to 80 in numerical order, *commencing* at the northern boundary of the State and *ending* at the southern boundary. We do not believe the Constitution requires that the north to south numbering pattern must be arranged between the First and Eightieth District so that *every* district must be southward of its numerical predecessor.

Analysis

Section 6 of Article IV of the California Constitution provides that the State shall be divided into 40 senatorial and 80 assembly districts each 10 years on the basis of population for the purpose of choosing Members of the Legislature. Various requirements are imposed upon the Legislature in making the decennial reapportionment. The portion of Section 6 with which we are here concerned reads as follows:

> "The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, *commencing at the northern boundary of the State and ending at the southern boundary thereof.*" (Emphasis added)

To our knowledge, the above quoted part of Section 6 has never been construed by the courts.

The provisions of the Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise (Art. I, Sec. 22). It is therefore clear that Assembly District No. 1 must be in the north and No. 80 in the south. It does not follow, however, that a rigid geographical numbering pattern must be followed southerly from 1 to 80.

In re-districting the State in the past, the Legislature has established the policy of numbering assembly and senatorial districts in a *general* southerly direction. Both Senatorial and Assembly Districts No. 1 have always been along the northern boundary of the State and Senatorial District No. 40 and Assembly District No. 80 have been located along the southern boundary. However, the Legislature has not in the past interpreted Section 6 of Article IV as requiring that *every* legislative district must be geographically south of its numerical predecessor. There have been many instances wherein a district located wholly or partly to the north of other districts has been given a higher number than one or more of its southerly neighbors. The present senatorial and assembly districts furnish convenient examples. Senatorial District No. 19 is wholly to the north of Senatorial Districts Nos. 16, 17, and 18, and is partly to the north of Senatorial District No. 15. The distance between No. 19 and No. 18 is well in excess of 20 miles. While no such separation occurs in the assembly districts, District 39 (Kern County) is northerly of District 38 (Ventura County). The same general situation existed under the 1931 reapportionment.

This legislative construction is entirely reasonable, since the Constitution specifies only that the numbering must *commence* in the north and *end* in the south. No geographical numbering pattern is prescribed for achieving this result, but it naturally follows that the numbering will proceed generally southward.

We have referred to these precedents since in construing provisions of the Constitution legislative enactments have great significance. Although the Legislature cannot fix the meaning of the Constitution, and its interpretation is not controlling upon the court, where the meaning of a provision is doubtful, the contemporaneous and long standing construction thereof by the Legislature will be given great weight by the courts (*Pacific Indemnity Co.* vs. *Industrial Accident Commission,* 215 Cal. 461, 464; *Delaney* vs. *Lowery,* 25 Cal. 2d 561, 569).

Moreover, it is established that the presumption of constitutionality attaches to reapportionment acts in the same manner that it does to any other act of the Legislature, and any doubt as to the power of the Legislature to pass the particular act must result in a finding that the act is within the legislative power (*People ex rel Heffernan* vs. *Carlock* (Ill.), 65 N.E. 109; *Fletcher* vs *Ruhe* (Nev.), 52 Pac 274; *Warson* vs. *Howell* (Wash.), 159 Pac. 777).

From all the foregoing, we conclude that the portion of Section 6 of Article IV of the California Constitution relating to the numbering of assembly districts would not be violated by a Reapportionment Act which located Assembly District No. 10 20 miles south of Assembly District No. 20 We believe that legal compliance with the Constitution can be achieved if the assembly districts are numbered in a pattern which in general proceeds southerly from Number 1 in the north to Number 80 in the south.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 7, 1951

Honorable Laughlin E. Waters
Assembly Chamber

REAPPORTIONMENT—NO. 5774

DEAR MR. WATERS: You have asked the following four questions relating to reapportionment of congressional districts

Questions

1. What is the authority for the Legislature to reapportion congressional districts?

2 Is there any provision in the California or United States Constitutions which would *require* the California Legislature to reapportion congressional districts at this session?

3. How would the new Congressmen to which California will be entitled under the 1950 Census figures be elected if the Legislature does not reapportion the congressional districts at this session or before the next congressional elections?

4. In the event the Legislature fails to reapportion the congressional districts at this session, would the Reapportionment Commission be authorized to do so?

Opinion

In our opinion:

1. The California Legislature is authorized to reapportion congressional districts at this session by the provisions of Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U.S.C., Sec. 2a), and Section 27 of Article IV of the California Constitution.

2. Although authorized, the Legislature is not required to reapportion congressional districts at this session. Reapportionment of congressional districts may be made at any subsequent session of the Legislature prior to the next Decennial Federal Census, or not at all, as the Legislature chooses.

3. The new Congressmen would be elected by the State at large.

4. The Reapportionment Commission would have no authority with respect to congressional districts.

Analysis

Sections 2 and 4 of Article I of the United States Constitution and Section 2 of the Fourteenth Amendment thereto provide that Representatives shall be apportioned among the several states according to their respective numbers excluding Indians not taxed. The number of Representatives cannot exceed one for every 30,000 people but each state is entitled to at least one Representative. The times, places, and manner of holding elections for Representatives is to be prescribed by each State Legislature, but Congress may also make regulations relating thereto.

Section 2a of Title 2 of the United States Code provides for the time and manner for the reapportionment of Representatives in Congress. This section provides the means by which Congress determines the number of Representatives to which each state is entitled based upon the population as established by the 1950 Federal Census. It has been estimated that California will be entitled to approximately seven additional seats in Congress. There is nothing in this section, or in any other provision of federal law of which we are aware, which prescribes the times, places, or manner of holding elections of Congressmen within the several states. Consequently, the task of providing places within this State from which additional Congressmen will be elected is left to the Legislature.

We have been unable to find any express prescription in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of the California Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the reformation of congressional districts will be made by the Legislature during this session at the same time as the re-formation of senatorial and assembly districts takes place.

Should the Legislature not reapportion the congressional districts and provide new districts from which the new Congressmen may be elected, the provisions of subsection (c) of Section 2a, of Title 2 of the United States Code, will come into operation to provide a method of electing the new Congressmen until such time as the California Legislature acts to establish new districts Subdivision (2) of subsection (c) of Section 2a, of Title 2 of the United States Code, provides as follows:

> "(2) If there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State;"

If the reapportionment of congressional districts is made by the Legislature at this session, this provision of federal law will not become operative in so far as California is concerned. Should the Legislature not reapportion such districts at this session, the new Congressmen will be elected at large at each election until such time as redistricting by the Legislature takes place. No provision is made for any other agency to reapportion the congressional districts of California should the Legislature fail to do so. The Reapportionment Commission which is provided for in Section 6 of Article IV of the California Constitution will reapportion the senatorial and assembly districts should the Legislature fail so to do at this session. This commission has no authority over congressional districts.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, December 27, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

REAPPORTIONMENT—NO. 3412

DEAR MR WATERS: You ask whether a Reapportionment Bill would be subject to the referendum.

In our opinion it would.

Section 1 of Article IV of the California Constitution provides, with certain exceptions not here applicable, that no act passed by the Legislature shall go into effect until 90 days after the final adjournment of the session of the Legislature which passed it. The section also sets out the method by which the people may act on such a measure in an election if a petition is filed within the 90-day period. We see no reason why these provisions are not applicable to a reapportionment act as well as to other acts.

The Constitution preserves the referendum right of the people even in the event that the Legislature should fail to reapportion and the reapportionment is made by the Reapportionment Commission provided for in Section 6 of Article IV. The section specifically provides that in such an event the reapportionment shall be effective the same as if made by act of the Legislature and subject to the same provisions of referendum as apply to acts of the Legislature.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, December 11, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

REAPPORTIONMENT—NO. 3229

DEAR MR. WATERS: In reference to reapportionment of the representation of the State in Congress and the Legislature, you have asked certain questions which are set forth and considered separately below.

Question 1

Are Reapportionment Bills to be handled regularly as other bills, needing only a majority vote for passage, or are there special requirements concerning the procedure to be followed in the Legislature in processing such bills?

Opinion and Analysis

We are aware of no law or rule requiring a Reapportionment Bill to be processed in a manner different from other bills and are, therefore, of the opinion that it should be handled in each house of the Legislature in all respects just as any other bill and may be passed by a majority vote in each house.

Question 2

In forming assembly districts, may a city or town be divided?

Opinion

In our opinion this question should be answered in the affirmative, with the single exception of a city which is also a county and does not contain sufficient population within itself to form two or more assembly districts.

Analysis

With respect to assembly districts, Section 6 of Article IV of the California Constitution provides in part that no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts. There is no such prohibition relating to cities or towns. The only area comprising a city and county in California at the present time is San Francisco, and since it contains sufficient population within itself to form two or more assembly districts, it may be divided.

Question 3

Are there any circumstances under which an assembly district may include portions of two counties?

Opinion

We are of the opinion that this question should be answered in the negative.

Analysis

Section 6 of Article IV of the California Constitution provides in part that no portion of any county, or city and county, shall be united

with any other county, or city and county, in forming any assembly district. The result of this prohibition is that while an assembly district may include several contiguous whole counties, it may not include parts of different counties under any circumstances

Question 4

Can a congressional district be formed consisting of two and one-half counties?

Opinion

In our opinion such a district may validly be formed.

Analysis

Section 27 of Article IV of the California Constitution provides that any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts, according to its population. The section further provides that any residue left after the formation of such congressional district or districts shall be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

From the foregoing constitutional requirement, it is clear that a congressional district may consist of two and one-half counties. The situation would occur when it is found that a county has too many people for one congressional district, but not enough for two or more. The area remaining after forming one or more districts contained wholly within the county could then be attached to a contiguous county or counties to form another district. The area so attached might be half, or more or less than half, of the divided county, depending upon the circumstances.

An example of the operation of the above constitutional provision is found at present in the Twenty-first Congressional District. Approximately one-half of Los Angeles County is united with San Bernardino County to form the district. The lower approximate one-half of Los Angeles County comprises the Twelfth through the Twentieth Congressional Districts. If the upper half of Los Angeles County were united with Kern County as well as San Bernardino, an exact example of the situation in question would be afforded. Kern County is now, however, a part of the 10th Congressional District.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 9, 1951

Honorable Laughlin E. Waters
Assembly Chamber

REAPPORTIONMENT—NO. 5177

DEAR MR. WATERS: You have asked three questions relating to reapportionment of assembly and congressional districts which are set forth and considered separately below.

Question

Is the Legislature prohibited from reapportioning assembly and congressional districts more than once following each Decennial Federal Census?

Opinion

It is established case law in California that the Legislature may reapportion assembly districts but once following each Decennial Federal Census.

Whether or not this rule applies to congressional districts has never been established by the California courts. We are of the opinion, however, that the rule would probably also be applied to congressional districts, resulting in a holding that the legislative power to reform congressional districts can be exercised but once after each census.

Analysis

In fixing and readjusting the boundaries of assembly districts, the Legislature acts pursuant to the provisions of Section 6 of Article IV of the California Constitution.

This section provides in part as follows:

> "The census taken under the direction of the Congress of the United States in the year 1920 and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation * * *."

In the cases of *Wheeler* vs. *Herbert* (152 Cal. 224) and *Dowell* vs. *McLees* (199 Cal. 144) the California Supreme Court held that the provisions of Section 6 of Article IV, being mandatory and prohibitory, prohibit the Legislature from forming assembly districts more than once during the period between one United States Census and the succeeding one.

We have found only one case which has considered the same problem with respect to congressional districts. This was a case in the State of New York in 1918, which is discussed below, holding that more than one reapportionment of congressional districts each 10 years is valid.

The provisions of law relating to reapportionment of congressional districts are Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the 14th Amendment to the United States Constitution, the Federal Apportionment Act (2 U. S. C. Sec. 2a), and Section 27 of Article IV of the California Constitution.

The federal laws referred to above require the President to inform Congress after each census of the number of Representatives in Congress to which each state is entitled based upon the populations of each as determined by the census. The Clerk of the House of Representatives then notifies the governor of each state of the number of Representatives to which it is entitled. This procedure has occurred.

The places within each state from which the various Representatives to which it may be entitled are elected are determined by the State Legislatures (Art. I, Sec. 4, U. S. Const.).

Section 27 of Article IV of the California Constitution is the only California law which relates to the reapportionment of congressional districts. That section specifies the geographical limitations on the formation of congressional districts, but it contains nothing specifying when or how often a re-formation of such districts shall take place.

Therefore, we are aware of nothing in the Federal or California law which specifies when the reapportionment of congressional districts must be made. Presumably, it will be made by the Legislature during the present session, although there appears to be no requirement that it be made at this session.

The specific language of Section 6 of Article IV of the California Constitution (quoted above) which specifies when the reapportionment of assembly and senatorial districts shall be made, plus the provisions in the section establishing a Reapportionment Commission to act in the event the Legislature fails to do so in the first session following the census, are absent from, and have no application to, the provisions of Section 27 of Article IV, which specifies the manner in which congressional districts shall be formed.

It was the restrictive language of Section 6 of Article IV upon which the Supreme Court based its holdings in the *Wheeler* and *Dowell* cases. Although this express language is absent from the provisions relating to congressional districts, it is our opinion that the federal laws relating to reapportionment impliedly prohibit the state legislatures from re-defining the boundaries of the congressional districts therein more often than once each 10 years.

The fundamental basis of the readjustment of the representation in the United States House of Representatives is the population of the States as determined each 10 years in the census. All reapportionment is based upon these population figures, and these figures remain the basis for legislative and congressional representation for the next 10 years.

Pursuant to its powers under Section 4 of Article I of the United States Constitution, by which it is given the power to make laws relating to the time, places, and manner of election of Representatives, the Congress has enacted from time to time various statutes relating to reapportionment of congressional districts within the states. Section 2a of Title 2 of the United States Code (known as the Permanent Reapportionment Act) presently provides the method of election of Congressmen in each state after a Federal Decennial Census and *until* the state has redefined the boundaries of the congressional districts therein. The fact that the census is the basis of all reapportionment, that it occurs only once in each 10 years, and that the Permanent Reapportionment Act provides for the manner of electing Congressmen after each census and *until* the states are redistricted after each census, raises a strong implication in our opinion that redistricting is to occur only once, if at all, in each state following each census It is difficult to perceive upon what valid premise a state legislature could base a second redistricting, since the official population figures upon which the first would be based would remain the same until the next decennial federal census

Consequently, we believe it to be probable that the California Supreme Court would reach the same result with respect to congressional

districts as it did with regard to assembly and senatorial districts in the *Wheeler* and *Dowell* cases, but upon the grounds of the implied restriction in the federal law rather than upon any specific provision of the California Constitution.

An opposite holding is of course possible, since no specific prohibition exists.

The Court of Appeals of New York, in the case of *People* vs. *Voorhis* (119 N. E. 106), decided in 1918, found nothing express or implied in the law to prohibit the New York Legislature from partially redistricting the congressional districts of the state by statute in 1917 when an entire reapportionment of congressional districts had been made by statute in 1911, based upon the 1910 Census. The court held that the power of the New York Legislature under federal law was not exhausted when it reapportioned in 1911 and that it had a continuing duty to maintain the congressional districts in such a form that they contain as nearly as practicable an equal population. This was at that time a requirement of federal law. There is no longer such a federal requirement.

Concerning the federal law at that time, the New York court stated (at p 108):

> "The language used in the congressional act indicates as clearly as anything can that Congress in its enactment took into consideration the fact that after a state had once been divided into congressional districts, by reason of shifting population, it might, from time to time, become necessary to redistrict it in order fully to comply with the intent and purpose of the act."

There were two dissenting opinions in the case which pointed out that the theory of reapportionment with every shift in population from year to year did not appear to be contained in either the Federal Constitution or laws, but that to the contrary the Constitution and federal law appeared to contemplate but one reapportionment based upon the population as ascertained by the census each 10 years, and that there was no machinery provided for determining population for the purpose of reapportionment more often than each 10 years

We are inclined to believe that the California Supreme Court would reason along the lines of the dissenting opinions of the New York case. Furthermore, there is no longer a requirement in the federal law that congressional districts be as nearly equal in population as possible. We, therefore, conclude that the court would probably hold that congressional districts, like assembly districts, may be reformed but once each 10 years.

We do not believe, however, that such a ruling would prevent the Legislature from amending a reapportionment law at a later date to correct technical defects or errors which might appear in the legal description of boundaries.

Question 2

If a congressional or assembly district is abolished and reconstituted in another area, the new district being given the same number as the abolished district, can the incumbent of the old district (assuming he meets all the residential qualifications of the new district) run on the ballot as the "incumbent" of the new district?

Opinion and Analysis

In our opinion this question should be answered in the affirmative.

Section 6 of Article IV of our State Constitution provides in part that "each assembly district shall choose one Member of Assembly." Therefore, the office which each Assemblyman holds is that of Assemblyman from the district which elected him. The same principle applies to Congressmen (Calif. Const., Art. IV, Sec. 27 and Elec. C. Sec. 10500).

Section 3819 of the Elections Code, which governs the designation which appears under a candidate's name on the ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We, therefore, conclude that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for reelection in a district which bears the same number as the district from which he was last elected.

Question 3

Where two assembly on congressional districts are consolidated into one, may both of the incumbents of the old districts run in the new district on the ballot as "incumbents?"

Opinion and Analysis

We believe this question should be answered in the negative.

As pointed out above in the analysis of Question Number 2, we believe that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for reelection in a district which bears the same number as the district from which he was last elected. Under the facts presented by this question, it would be impossible for one or the other of the incumbents to comply with this requirement, since the new district could not have the same number as both the old districts which it replaced.

This does not mean, however, that a Congressman or Assemblyman who is running in a district, which because of the reformation bears a different number, cannot have printed on the ballot the name of the office which he then holds, since Section 3819 of the Elections Code gives candidates the option of having one of the following designations printed on the ballot following his name:

"* * * * * * *

Members of the Assembly may use either of the following designations: 'Assemblyman, _____ District, California Legislature' or 'Member of the Assembly, _____ District, California Legislature,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

* * * * * * *

Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number * * *."

Pursuant to the above-quoted provisions, an incumbent Assemblyman who is running in a district with a different number than the district of which he is an incumbent may have the fact that he is an Assemblyman from a given numbered district printed on the ballot. An incumbent Congressman could state his occupation as "Member of Congress,"

"Representative in Congress," or with other appropriate language, not exceeding three words.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title to which is as follows.

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Respectfully submitted.

T. J DOYLE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Doyle:

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Munnell moved a call of the Assembly.

Motion carried. Time, 1.34 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Berry, Brady, Brown, Cloyed, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Shaw, Stewart, and Tomlinson—36.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for unanimous consent that a Report of the Assembly Committee on Legislative Representation be ordered printed in the Journal, in 10-point type

Mr. Collier withheld unanimous consent.

Motion to Print Report

Mr. Dolwig moved that a Report of the Assembly Committee on Legislative Representation be ordered printed in the Journal in 10-point type.

Mr. Brady seconded the motion.

Motion carried.

(Above mentioned report will appear prior to the motion to adjourn.)

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST BY MR. DOYLE TO INTRODUCE A BILL

At 1.43 p.m., on motion of Mr. Stewart, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Doyle to introduce a bill by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

POINT OF ORDER

Mr. Collier arose to the following point of order: That business has been transacted without the presence of a quorum.

Point of Order

Mr. Waters arose to the following point of order: That the point of order by Mr. Collier is not timely, and is not in order.

Ruling By Speaker

Speaker Sam L. Collins ruled the point of order well taken because the roll call was upon the introduction of a bill and not upon a quorum call; and that a quorum was present at the time of the call of the House, but not 60 votes, as needed for permission to introduce a bill.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3386: By Mr. Doyle—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Referred to Committee on Revenue and Taxation.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, March 12, 1951; Tuesday, March 13, 1951; Wednesday, March 14, 1951; Thursday, March 15, 1951; and Friday, March 16, 1951, were approved, as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT THAT ADDRESS BY SENATOR EDWIN J. REGAN AT THE SAINT PATRICK'S DAY CELEBRATION BE PRINTED IN JOURNAL

Mr. Lyon asked for, and was granted, unanimous consent that the address delivered by Senator Edwin J. Regan at the Saint Patrick's Day Celebration held in the Assembly Chamber on Friday, March 16th, upon adjournment, be ordered printed in the Journal, in 10 point type.

(Above mentioned address will appear in the Assembly Journal at an early date.)

Speaker Pro Tempore Presiding

At 1.53 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 500

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Further Consideration of Proposed Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Consideration of Amendments Nos. 61 and 62

Amendment No. 61

On page 7 of said bill, after line 15, insert

"44.1—For expenses of special commissions assisting the Board of Corrections in making a study of crime conditions pursuant to Sections 6027 and 6028 of the Penal Code, Department of Corrections..... 56,057".

Amendment No. 62

On page 7 of said bill, before line 16, insert

"44.2—For compensation, fees, and expenses of confidential personnel furnished by the Director of Corrections to the special commissions assisting the Board of Corrections in the study of crime, Department of Corrections (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code)..... 45,000

provided, that claims for such compensation shall be presented by the Director of Corrections in his own name with a statement that the charges have been incurred pursuant to this item and when so presented shall be paid therefrom; and provided further that upon the completion of each secret investigation, and in any event within not more than one year after the payment of any claims, the Director of Corrections shall file with the Controller vouchers in support of the claims; provided that the Controller shall not divulge any information conveyed by the vouchers, except upon order of a court of records in cases where the information is relevant and material evidence or upon order of the Legislature; and provided further, that such oaths of office as may be required of persons whose compensation is paid from this item may be kept in the confidential files of the Director of Corrections"

Amendments read.

Demand for Previous Question

Messrs. Babbage, Geddes, Klocksiem, Lincoln, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendments Nos. 61 and 62 to Assembly Bill No. 500.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—52.

NOES—Burkhalter, George D. Collins, Davis, Doyle, Elliott, Evans, Kilpatrick, Luckel, McMillan, and Smith—10.

Consideration of Amendments Nos. 63, 64, 65, and 66

Amendment No. 63

On page 7, line 48, of said bill, strike out "2,076,066", and insert "2,092,026".

Amendment No. 64

On page 8, line 6, of said bill, strike out "1,333,293", and insert "1,349,253".

Amendment No. 65

On page 8, line 11, of said bill, strike out "2,323,332", and insert "2,339,292".

Amendment No. 66

On page 8, line 19, of said bill, strike out "2,076,066", and insert "2,092,026".

Amendments read, and adopted.

Consideration of Amendments Nos. 67, 68, 69, and 70

Amendment No. 67

On page 8, line 25, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendment No. 68

On page 8, line 34, of said bill, strike out "74,297", and insert "55,297".

Amendment No. 69

On page 8, line 36, of said bill, strike out "2,162,536", and insert "2,143,536".

Amendment No. 70

On page 8, line 44, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendments read, and adopted.

Consideration of Amendments Nos. 71, 72, 73, and 74

Amendment No. 71

On page 8, line 47, of said bill, strike out "3,379,257", and insert "3,367,857".

Amendment No. 72

On page 9, line 3, of said bill, strike out "2,054,055", and insert "2,042,655".

Amendment No. 73

On page 9, line 8, of said bill, strike out "3,725,248", and insert "3,713,848".

Amendment No. 74

On page 9, line 19, of said bill, strike out "3,379,257", and insert "3,367,857".

Amendments read, and adopted.

Consideration of Amendments Nos. 75, 76, 77, and 78

Amendment No. 75

On page 9, line 22, of said bill, strike out "1,586,754", and insert "1,581,804".

Amendment No. 76

On page 9, line 29, of said bill, strike out "1,003,333", and insert "998,383".

Amendment No. 77

On page 9, line 34, of said bill, strike out "1,778,803", and insert "1,773,853".

Amendment No. 78

On page 9, line 41, of said bill, strike out "1,586,754", and insert "1,581,804".

Amendments read, and adopted.

Consideration of Amendments Nos. 79, 80, 81, and 82

Amendment No. 79

On page 11, line 30, of said bill, strike out "947,950", and insert "945,670".

Amendment No. 80

On page 11, line 32, of said bill, strike out "699,257", and insert "696,977".

Amendment No. 81

On page 11, line 36, of said bill, strike out "949,750", and insert "947,470".

Amendment No. 82

On page 11, line 41, of said bill, strike out "947,950", and insert "945,670".

Amendments read, and adopted.

Consideration of Amendments Nos. 83, 84, 85, and 86

Amendment No. 83

On page 12, line 18, of said bill, strike out "240,445", and insert "238,820".

Amendment No. 84

On page 12, line 26, of said bill, strike out "5,388", and insert "3,763".

Amendment No. 85

On page 12, line 28, of said bill, strike out "251,375", and insert "249,750".

Amendment No. 86

On page 12, line 33, of said bill, strike out "240,445", and insert "238,820".

Amendments read, and ordered temporarily passed on file until Mr. McCollister has opportunity to present his proposed amendments.

Request for Unanimous Consent That Consideration Be Given Amendment at Time Committee Amendments Nos. 83, 84, 85, and 86 Are Considered

Mr. McCollister asked for, and was granted, unanimous consent that consideration be given his amendment at the time consideration is given to proposed Committee Amendments Nos. 83, 84, 85, and 86.

Further Consideration of Proposed Committee Amendments

Consideration of Amendments Nos. 92, 93, 94, and 95

Amendment No. 92

On page 14, line 15, of said bill, strike out "453,120", and insert "452,182".

Amendment No. 93

On page 14, line 23, of said bill, strike out "7,870", and insert "6,932".

Amendment No. 94

On page 14, line 25, of said bill, strike out "472,470", and insert "471,532".

Amendment No. 95

On page 14, line 30, of said bill, strike out "453,120", and insert "452,182".

Amendments read, and adopted.

Consideration of Amendments Nos. 96, 97, 98, 99, 100, and 101

Amendment No. 96

On page 14, line 37, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendment No. 97

On page 15, line 3, of said bill, strike out "1,426,459", and insert "1,370,605".

Amendment No. 98

On page 15, line 4, of said bill, strike out "488,386", and insert "479,271".

Amendment No. 99

On page 15, line 5, of said bill, strike out "67,434", and insert "60,706".

Amendment No. 100

On page 15, line 7, of said bill, strike out "1,982,279", and insert "1,910,582".

Amendment No. 101

On page 15, line 14, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendments read, and adopted.

Consideration of Amendment No. 102

Amendment No. 102

On page 15 of said bill, after line 34, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment read, and adopted.

Consideration of Amendment No. 103

Amendment No. 103

On page 15 of said bill, after line 45, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment read, and adopted.

Consideration of Amendment No. 104

Amendment No. 104

On page 16 of said bill, after line 4, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code "

Amendment read, and adopted.

Consideration of Amendments Nos. 105, 106, 107, 108, 109, and 110

Amendment No. 105

On page 16, line 9, of said bill, strike out "850,000", and insert "835,000".

Amendment No. 106

On page 16, line 25, of said bill, strike out "777,599", and insert "747,153".

Amendment No. 107

On page 16, line 26, of said bill, strike out "1,762,900", and insert "1,748,346".

Amendment No. 108

On page 16, line 29, of said bill, strike out "2,550,000", and insert "2,505,000".

Amendment No. 109

On page 16, line 32, of said bill, strike out "1,700,000", and insert "1,670,000".

Amendment No. 110

On page 16, line 34, of said bill, strike out "850,000", and insert "835,000".

Amendments read, and adopted.

Consideration of Amendments Nos. 111, 112, 113, 114, and 115

Amendment No. 111

On page 17, line 4, of said bill, strike out "401,455", and insert "398,641".

Amendment No. 112

On page 17, line 9, of said bill, strike out "292,161", and insert "289,597".

Amendment No. 113

On page 17, line 11, of said bill, strike out "65,389", and insert "65,139".

Amendment No. 114

On page 17, line 13, of said bill, strike out "402,055", and insert "399,241".

Amendment No. 115

On page 17, line 17, of said bill, strike out "401,455", and insert "398,641".

Amendments read, and adopted.

Consideration of Amendments Nos. 116, 117, 118, and 119

Amendment No. 116

On page 19, line 21, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendment No. 117

On page 19, line 29, of said bill, strike out "1,055,893", and insert "1,059,265".

Amendment No. 118

On page 19, line 32, of said bill, strike out "1,419,257", and insert "1,422,629".

Amendment No. 119

On page 19, line 45, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendments read, and adopted.

Consideration of Amendments Nos. 120, 121, 122, 123, 124, and 125

Amendment No. 120

On page 23, line 28, of said bill, strike out "207,500", and insert "196,552".

Amendment No. 121

On page 23, line 39, of said bill, strike out "216,580", and insert "213,990".

Amendment No. 122

On page 23, line 40, of said bill, strike out "110,742", and insert "103,184".

Amendment No. 123

On page 23, line 43, of said bill, strike out "331,802", and insert "321,654".

Amendment No. 124

On page 24, line 5, of said bill, strike out "11,897", and insert "12,697".

Amendment No. 125

On page 24, line 13, of said bill, strike out "207,500", and insert "196,552"

Amendments read, and adopted.

Consideration of Amendments Nos. 126, 127, 128, and 129

Amendment No. 126

On page 26, line 4, of said bill, strike out "230,202", and insert "227,430".

Amendment No. 127

On page 26, line 9, of said bill, strike out "162,184", and insert "159,412".

Amendment No. 128

On page 26, line 13, of said bill, strike out "239,670", and insert "236,898".

Amendment No. 129

On page 26, line 18, of said bill, strike out "230,202", and insert "227,430".

Amendments read, and adopted.

Consideration of Amendments Nos. 130, 131, 132, 133, and 134

Amendment No. 130

On page 27, line 11, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendment No. 131

On page 27, line 17, of said bill, strike out "1,346,279", and insert "1,341,599".

Amendment No. 132

On page 27, line 19, of said bill, strike out "31,029", and insert "30,716".

Amendment No. 133

On page 27, line 21, of said bill, strike out "1,766,041", and insert "1,761,048".

Amendment No. 134

On page 27, line 35, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendments read, and adopted.

Consideration of Amendments Nos. 135, 136, 137, 138, 139, and 140

Amendment No. 135

On page 29, line 3, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendment No. 136

On page 29, line 9, of said bill, strike out "9,325,048", and insert "9,318,448".

Amendment No. 137

On page 29, line 10, of said bill, strike out "1,609,138", and insert "1,607,938".

Amendment No. 138

On page 29, line 11, of said bill, strike out "124,160", and insert "111,766".

Amendment No. 139

On page 29, line 13, of said bill, strike out "11,058,346", and insert "11,038,152".

Amendment No. 140

On page 29, line 22, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendments read, and adopted.

Consideration of Amendments Nos. 141, 142, and 143

Amendment No. 141

On page 29, line 27, of said bill, strike out "670,351", and insert "667,135".

Amendment No. 142

On page 29, line 29, of said bill, strike out "453,802", and insert "450,586".

Amendment No. 143

On page 29, line 33, of said bill, strike out "670,351", and insert "667,135".

Amendments read, and adopted.

Amendments Nos. 144, 145, and 146

Amendment No. 144

On page 29, line 37, of said bill, strike out "424,750", and insert "424,665".

Amendment No. 145

On page 29, line 41, of said bill, strike out "3,565", and insert "3,480".

Amendment No. 146

On page 29, line 43, of said bill, strike out "424,750", and insert "424,665".

Amendments read, and adopted.

Motion to Deem Remainder of Committee Amendments Read and Adopted

Mr. Beck moved that the remainder of the amendments to Assembly Bill No. 500, as being proposed by the Committee on Ways and Means, with the exception of Items 69 and 139 which concerns Messrs. McCollister and Crowley, respectively, be deemed read and adopted.

Mr. Sam L. Collins seconded the motion.

Motion carried.

Further Proposed Amendments by the Committee on Ways and Means to Assembly Bill No. 500 as Deemed Read and Adopted

Amendment No. 147

On page 31 of said bill, strike out lines 6, 7, and 8.

Amendment No. 148

On page 31, line 32, of said bill, strike out "262,217", and insert "270,929".

Amendment No. 149

On page 31, line 36, of said bill, strike out "323,742", and insert "332,454".

Amendment No. 150

On page 31, line 43, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 151

On page 32, line 5, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 152

On page 32, line 35, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 153

On page 32, line 37, of said bill, strike out "42,845", and insert "50,525".

Amendment No. 154

On page 32, line 38, of said bill, strike out "43,033", and insert "45,193".

Amendment No. 155

On page 32, line 41, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 164

On page 33, line 44, of said bill, strike out "2,827,465", and insert "2,821,463".

Amendment No. 165

On page 33, line 46, of said bill, strike out "2,369,698", and insert "2,364,502".

Amendment No. 166

On page 33, line 48, of said bill, strike out "56,143", and insert "55,337".

Amendment No. 167

On page 33, line 50, of said bill, strike out "2,827,465", and insert "2,821,463".

Amendment No. 168

On page 34, line 48, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 169

On page 35, line 3, of said bill, strike out "3,322,957", and insert "3,316,237".

Amendment No. 170

On page 35, line 4, of said bill, strike out "777,980", and insert "774,967".

Amendment No. 171

On page 35, line 5, of said bill, strike out "72,869", and insert "72,376".

Amendment No. 172

On page 35, line 7, of said bill, strike out "4,173,806", and insert "4,163,580"

Amendment No. 173

On page 35, line 15, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 174

On page 36, line 31, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 175

On page 36, line 34, of said bill, strike out "184,851", and insert "170,776".

Amendment No. 176

On page 36, line 37, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 177

On page 37, line 3, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 178

On page 37, line 12, of said bill, strike out "1,773,402", and insert "1,778,550".

Amendment No. 179

On page 37, line 13, of said bill, strike out "646,476", and insert "646,781".

Amendment No. 180

On page 37, line 14, of said bill, strike out "64,197", and insert "71,533".

Amendment No. 181

On page 37, line 16, of said bill, strike out "2,484,075", and insert "2,496,864".

Amendment No. 182

On page 37, line 27, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 183

On page 37, line 50, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 184

On page 38, line 3, of said bill, strike out "1,041,720", and insert "1,034,340".

Amendment No. 185

On page 38, line 5, of said bill, strike out "67,065", and insert "66,742".

Amendment No. 186

On page 38, line 7, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 187

On page 38, line 20, of said bill, strike out "385,400", and insert "359,000".

Amendment No. 188

On page 38, line 25, of said bill, strike out "425,932", and insert "433,312".

Amendment No. 189

On page 38, line 27, of said bill, strike out "11,778", and insert "12,101".

Amendment No. 190

On page 38, line 29, of said bill, strike out "518,317", and insert "526,020".

Amendment No. 191

On page 38, line 35, of said bill, strike out "121,985", and insert "129,688".

Amendment No. 192

On page 39, line 3, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 193

On page 39, line 9, of said bill, strike out "2,743,710", and insert "2,741,190".

Amendment No. 194

On page 39, line 11, of said bill, strike out "129,515", and insert "128,558".

Amendment No. 195

On page 39, line 13, of said bill, strike out "4,248,966", and insert "4,245,489".

Amendment No. 196

On page 39, line 18, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 197

On page 39, line 20, of said bill, strike out "5,761,783", and insert "5,753,291".

Amendment No. 198

On page 39, line 26, of said bill, strike out "3,989,656", and insert "3,982,204"

Amendment No. 199

On page 39, line 28, of said bill, strike out "161,445", and insert "160,405".

Amendment No. 200

On page 39, line 30, of said bill, strike out "5,909,013", and insert "5,900,521"

Amendment No. 201

On page 39, line 35, of said bill, strike out "5,761,783", and insert "5,753,291"

Amendment No. 202

On page 39, line 37, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 203

On page 39, line 42, of said bill, strike out "1,951,983", and insert "1,949,463".

Amendment No. 204

On page 39, line 44, of said bill, strike out "51,426", and insert "51,026".

Amendment No. 205

On page 39, line 46, of said bill, strike out "3,058,400", and insert "3,055,480".

Amendment No. 206

On page 39, line 50, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 207

On page 40, line 3, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 208

On page 40, line 9, of said bill, strike out "1,816,844", and insert "1,814,564".

Amendment No. 209

On page 40, line 11, of said bill, strike out "73,530", and insert "72,130".

Amendment No. 210

On page 40, line 13, of said bill, strike out "2,688,690", and insert "2,685,010"

Amendment No. 211

On page 40, line 18, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 212

On page 40, line 20, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 213

On page 40, line 25, of said bill, strike out "2,116,872", and insert "2,116,752".

Amendment No. 214

On page 40, line 27, of said bill, strike out "95,464", and insert "94,537".

Amendment No. 215

On page 40, line 29, of said bill, strike out "3,295,794", and insert "3,294,747".

Amendment No. 216

On page 40, line 33, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 217

On page 40, line 35, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 218

On page 40, line 41, of said bill, strike out "2,713,034", and insert "2,710,142".

Amendment No. 219

On page 40, line 43, of said bill, strike out "87,718", and insert "86,418".

Amendment No. 220

On page 40, line 45, of said bill, strike out "4,181,074", and insert "4,176,882".

Amendment No. 221

On page 40, line 50, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 222

On page 41, line 3, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 223

On page 41, line 9, of said bill, strike out "1,889,028", and insert "1,886,508".

Amendment No. 224

On page 41, line 13, of said bill, strike out "2,697,260", and insert "2,694,740".

Amendment No. 225

On page 41, line 18, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 226

On page 41, line 20, of said bill, strike out "4,008,891", and insert "4,008,171".

Amendment No. 227

On page 41, line 26, of said bill, strike out "2,778,059", and insert "2,777,339".

Amendment No. 228

On page 41, line 30, of said bill, strike out "4,095,535", and insert "4,094,815".

Amendment No. 229

On page 41, line 35, of said bill, strike out "4,008,891", and insert "4,008,171".

Amendment No. 230

On page 41, line 37, of said bill, strike out "4,537,151", and insert "4,533,571".

Amendment No. 231

On page 41, line 43, of said bill, strike out "3,165,087", and insert "3,162,567".

Amendment No. 232

On page 41, line 45, of said bill, strike out "118,989", and insert "117,929".

Amendment No. 233

On page 41, line 47, of said bill, strike out "4,680,226", and insert "4,676,646".

Amendment No. 234

On page 41, line 52, of said bill, strike out "4,537,151", and insert "4,533,571".

Amendment No. 235

On page 42, line 3, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 236

On page 42, line 9, of said bill, strike out "1,666,973", and insert "1,666,853".

Amendment No. 237

On page 42, line 13, of said bill, strike out "2,471,050", and insert "2,470,930".

Amendment No. 238

On page 42, line 18, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 239

On page 42, line 20, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 240

On page 42, line 26, of said bill, strike out "2,682,075", and insert "2,681,955".

Amendment No. 241

On page 42, line 28, of said bill, strike out "102,150", and insert "101,944".

Amendment No. 242

On page 42, line 30, of said bill, strike out "3,895,214", and insert "3,894,888".

Amendment No. 243

On page 42, line 36, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 244

On page 43, line 30, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 245

On page 43, line 35, of said bill, strike out "7,793,006", and insert "7,814,010".

Amendment No. 246

On page 43, line 36, of said bill, strike out "2,670,592", and insert "2,693,969".

Amendment No. 247

On page 43, line 37, of said bill, strike out "140,556", and insert "152,168".

Amendment No. 248

On page 43, line 39, of said bill, strike out "10,604,154", and insert "10,660,147".

Amendment No. 249

On page 43, line 50, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 250

On page 44, line 20, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 251

On page 44, line 27, of said bill, strike out "50,230", and insert "42,730".

Amendment No. 252

On page 44, line 30, of said bill, strike out "363,557", and insert "356,057".

Amendment No. 253

On page 44, line 33, of said bill, strike out "186,969", and insert "183,294".

Amendment No. 254

On page 44, line 35, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 255

On page 44 of said bill, after line 35, insert

"181.1—*For Department of Natural Resources exhibit at State Fair*, Departmental Administration, Department of Natural Resources, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code, in accordance with the following schedule 3,825
and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department.

Schedule:

State Fair exhibits	7,500
Less: Estimated reimbursements:	
For services to activities supported out of other funds	3,675
Net appropriation	3,825".

Amendment No. 256

On page 45, line 5, of said bill, strike out "51,399", and insert "38,577".

Amendment No. 257

On page 45, line 7, of said bill, strike out "2,100,616", and insert "2,087,794".

Amendment No. 258

On page 45, line 14, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 259

On page 45, line 31, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 260

On page 45 of said bill, strike out lines 51 and 52

Amendment No. 261

On page 46 of said bill, strike out lines 2 to 18, inclusive

Amendment No. 262

On page 46, line 27, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 263

On page 46, line 32, of said bill, strike out "2,787,144", and insert "2,789,579".

Amendment No. 264

On page 46, line 33, of said bill, strike out "2,173,212", and insert "2,171,926".

Amendment No. 265

On page 46, line 34, of said bill, strike out "400,124", and insert "396,908".

Amendment No. 266

On page 46, line 36, of said bill, strike out "5,360,480", and insert "5,358,413".

Amendment No. 267

On page 46, line 44, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 268

On page 47 of said bill, strike out lines 8, 9, and 10

Amendment No. 269

On page 48, line 29, of said bill, after "suppression", strike out the comma, and insert "and detection,"

Amendment No. 270

On page 49, line 5, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 271

On page 49, line 10, of said bill, strike out "271,340", and insert "274,796".

Amendment No. 272

On page 49, line 14, of said bill, strike out "376,207", and insert "379,663".

Amendment No. 273

On page 49, line 19, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 274

On page 51, line 35, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 275

On page 51, line 37, of said bill, strike out "89,178", and insert "83,058".

Amendment No. 276

On page 51, line 38, of said bill, strike out "57,261", and insert "56,261".

Amendment No. 277

On page 51, line 41, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 278

On page 55, line 16, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 279

On page 55, line 18, of said bill, strike out "153,845", and insert "80,598".

Amendment No. 280

On page 55, line 19, of said bill, strike out "55,746", and insert "52,246".

Amendment No. 281

On page 55, line 22, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 282

On page 55, line 27, of said bill, strike out "3,924,799", and insert "3,913,298".

Amendment No. 283

On page 55, line 43, of said bill, strike out "3,413,511", and insert "3,411,231".

Amendment No. 284

On page 55, line 44, of said bill, strike out "2,331,912", and insert "2,329,172".

Amendment No. 285

On page 55, line 45, of said bill, strike out "117,651", and insert "116,622".

Amendment No. 286

On page 55, line 47, of said bill, strike out "278,350", and insert "272,898".

Amendment No. 287

On page 55, line 49, of said bill, strike out "6,141,424", and insert "6,129,923".

Amendment No. 288

On page 56, line 19, of said bill, strike out "3,924,799", and insert "3,913,298"

Amendment No. 289

On page 57, line 44, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 290

On page 58, line 10, of said bill, strike out "125,039", and insert "125,744".

Amendment No. 291

On page 58, line 12, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 292

On page 58, line 44, of said bill, strike out "1,265,195", and insert "1,262,785".

Amendment No. 293

On page 59, line 6, of said bill, strike out "989,116", and insert "986,836".

Amendment No. 294

On page 59, line 8, of said bill, strike out "66,876", and insert "66,746".

Amendment No. 295

On page 59, line 12, of said bill, strike out "1,420,349", and insert "1,417,939".

Amendment No. 296

On page 59, line 21, of said bill, strike out "1,265,195", and insert "1,262,785".

Amendment No. 297

On page 59, line 33, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 298

On page 59, line 35, of said bill, strike out "15,000", and insert "45,000".

Amendment No. 299

On page 59, line 42, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 300

On page 60, line 4, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 301

On page 60, line 9, of said bill, strike out "77,743", and insert "72,111".

Amendment No. 302

On page 60, line 10, of said bill, strike out "37,326", and insert "36,336".

Amendment No. 303

On page 60, line 13, of said bill, strike out "117,569", and insert "110,947".

Amendment No. 304

On page 60, line 18, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 305

On page 61, line 3, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 306

On page 61, line 11, of said bill, strike out "1,849,968", and insert "1,848,592".

Amendment No. 307

On page 61, line 12, of said bill, strike out "826,523", and insert "824,273".

Amendment No. 308

On page 61, line 17, of said bill, strike out "2,838,122", and insert "2,834,496".

Amendment No. 309

On page 61, line 20, of said bill, strike out "930,704", and insert "930,272".

Amendment No. 310

On page 61, line 22, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 311

On page 62, line 27, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 312

On page 62, line 39, of said bill, strike out "1,577,148", and insert "1,569,333".

Amendment No. 313

On page 62, line 43, of said bill, strike out "2,409,130", and insert "2,401,315".

Amendment No. 314

On page 62, line 52, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 315

On page 63, line 46, of said bill, strike out "41,491", and insert "98,289".

Amendment No. 316

On page 63 of said bill, strike out lines 48 to 51; and on page 64, strike out lines 2 to 18, inclusive, and insert

"(a) General Fund	45,308
(b) Accountancy Fund	5
(c) State Agricultural Society Contingency Fund	389
(d) Department of Agriculture Fund	41
(e) Fish and Game Preservation Fund	1,140
(f) Fair and Exposition Fund available to 1A District Agricultural Association under the provisions of Section 19622 of the Business and Professions Code	878
(g) Fair and Exposition Fund available to the California Polytechnic School under the provisions of Section 19622 of the Business and Professions Code	675
(h) State Highway Fund	4,521
(i) State Lands Act Fund	933
(j) Motor Vehicle Fund	2,069
(k) Motor Vehicle Fuel Fund	40,681
(l) Motor Vehicle License Fee Fund	194
(m) Board of Nurse Examiners Fund	48
(n) State Park Maintenance Fund	12
(o) Division of Architecture Revolving Fund	149
(p) Correctional Industries Revolving Fund	130
(q) Estates of Deceased Persons Fund	94
(r) Social Welfare Fund	908
(s) Unemployment Administration Fund	97
(t) Vocational Rehabilitation Fund	17
Total of Schedule	98,289".

Amendment No. 317

On page 66, line 21, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 318

On page 66, line 24, of said bill, strike out "1,015,711", and insert "1,008,211".

Amendment No. 319

On page 66, line 26, of said bill, strike out "65,100", and insert "52,200".

Amendment No. 320

On page 66, line 28, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 321

On page 66 of said bill, after line 45, insert

"277.1—For major construction, improvements, and equipment, California State Prison at Folsom, Department of Corrections, in accordance with the following schedule 50,000

(a) Furniture Refinishing Building 50,000

Total of Schedule ..... 50,000"

Amendment No. 322

On page 67, line 35, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 323

On page 67, line 40, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 324

On page 67, line 42, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 325

On page 68 of said bill, after line 44, insert

"291.1—For major construction, improvements, and equipment, Fred C. Nelles School for Boys, Youth Authority, in accordance with the following schedule 90,000

(a) School building 90,000

Total of Schedule ..... 90,000"

Amendment No. 326

On page 69 of said bill, after line 49, insert "Expenditure of this appropriation or any part thereof shall be pursuant to concurrence by the Legislative Auditor and the State Public Works Board in the recommendations of a survey relative to continuation of the institution at the present site or construction of a new institution at another site. This appropriation may be expended in accordance with the above schedule or in acquisition of site and partial construction of a new institution in accordance with the report as concurred in."

Amendment No. 327

On page 70 of said bill, after line 50, insert

"Item 304.3—For minor construction, improvements, repairs and equipment, initial complement of equipment for Long Beach State College, Department of Education ..... $130,623".

Amendment No. 328

On page 70 of said bill, after line 50, insert

"Item 304.5—For minor construction, improvements, repairs, and equipment, initial complement of equipment, Los Angeles State College of Applied Arts and Sciences, Department of Education ..... $69,602".

Amendment No. 329

On page 70 of said bill, after line 50, insert

"Item 304.7—For minor construction, improvements, repairs and equipment, initial complement of equipment, Sacramento State College, Department of Education ..... $68,357".

Amendment No. 330

On page 70 of said bill, after line 50, insert

"Item 304.8—For major construction, improvements, and equipment, Sacramento State College, Department of Education, in accordance with the following schedule $271,700

(a) Temporary facilities for new campus $271,700

Total of schedule ..... $271,700".

Amendment No. 331

On page 73 of said bill, strike out lines 2 to 8, inclusive.

Amendment No. 332

On page 74, line 16, of said bill, strike out "Working Drawings", and insert "Preliminary Plans".

Amendment No. 333

On page 76 of said bill, strike out lines 11 to 16, inclusive

Amendment No. 334

On page 76 of said bill, strike out lines 17 through 30.

Amendment No. 335

On page 76, line 31, of said bill, following "For", strike out "major construction, improvements," and insert "minor construction, improvements, repairs,".

Amendment No. 336

On page 76, line 33, of said bill, strike out "75,000", and insert "29,600".

Amendment No. 337

On page 76, line 52, of said bill, strike out "265,020", and insert "261,020".

Amendment No. 338

On page 77, line 21, of said bill, strike out "112,475", and insert "97,975".

Amendment No. 339

On page 82 of said bill, between lines 39 and 40, insert

"378.1—For allocation to the State Water Resources Board for reallocation to the County of Santa Barbara for expenditure for payment, and for necessary advances made, of the cost of cooperation by the State in the program on the Santa Ynez River Watershed, adopted and authorized by the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 ..... 106,000"

Amendment No. 340

On page 88 of said bill, after line 50, insert

"SEC. 14.5. The appropriations made by this act are subject to the following provisions: State-owned motor vehicles shall be used only in the conduct of state business. No state officer or employee shall use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business

The State Board of Control shall prescribe rules and regulations which:

(a) Define the use of state-owned motor vehicles which constitutes use in the conduct of state business and distinguish such use from misappropriation for private use;

(b) Prescribe the procedure for determining and collecting the actual costs to the State attributable to misuse of state-owned motor vehicles and the disposition of such collections;

(c) Prescribe the records and reports to be kept and made by state agencies relating to the use of state-owned motor vehicles to the end that misuse may be discovered with a minimum of record-keeping; provided that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury as to all statements made in such reports, including a statement that he has not used or permitted the use of any state-owned motor vehicle other than in the conduct of state business as prescribed by the State Board of Control; no money appropriated by this Act shall be expended for payment of the salary of any state officer or employee who has operated a state-owned motor vehicle in the preceding month unless he has filed the reports and certification as provided in this section; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;

(d) Establish methods of vehicle control and accounting which will facilitate and encourage the pooling of vehicles for their most effective utilization;

(e) Govern the storage of state-owned motor vehicles.

The provisions of this section shall not apply to the incumbents of elective state offices.

The Department of Finance shall administer the provisions of this section and the rules and regulations adopted pursuant thereto; provided, however, that it shall be the duty of the head or governing body of each state agency to carry out and enforce this section and said rules and regulations within such state agency.

Any violation by a state officer or employee of this section or the rules and regulations adopted pursuant thereto shall constitute misuse of state property under Section 19572 of the Government Code

The State Personnel Board, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of the State exempt from civil service for violating this section or the rules and regulations adopted pursuant thereto The procedure prescribed in the State Civil Service Act for taking punitive action against state employees shall apply to punitive action taken under this paragraph "

Amendment No. 341

On page 90, line 1, of said bill, strike out the comma, and insert a period.

Amendment No. 342

On page 90 of said bill, strike out lines 2 and 3.

Amendment No. 343

On page 90, line 4, of said bill, strike out "convenience or economy "

Amendments read, and adopted.

Request for Unanimous Consent That Amendments Nos. 156 to 163, Inclusive, Be Considered

Mr. Crowley asked for, and was granted, unanimous consent that Item 139, Amendments Nos 156 to 163, inclusive, as being proposed by the Committee on Ways and Means, to Assembly Bill No 500, be considered, at this time.

Consideration of Amendments Nos. 156, 157, 158, 159, 160, 161, 162, and 163

Amendment No. 156

On page 33, line 32, of said bill, strike out "34,930", and insert "17,465"

Amendment No. 157

On page 33 of said bill, after line 32, insert "and in addition thereto, any amounts collected for services to employees which by law are available for support of said agency ; provided, however, that none of the funds shall be available for expenditure after December 31, 1951".

Amendment No. 158

On page 33, line 34, of said bill, strike out "24,554", and insert "12,277".

Amendment No. 159

On page 33, line 35, of said bill, strike out "10,800", and insert "5,400".

Amendment No. 160

On page 33, line 36, of said bill, strike out "500", and insert "250".

Amendment No. 161

On page 33, line 38, of said bill, strike out "35,854", and insert "17,927".

Amendment No. 162

On page 33, line 40, of said bill, strike out "924", and insert "462".

Amendment No. 163

On page 33, line 42, of said bill, strike out "34,930", and insert "17,465".

Amendments read.

Hon. Allen H. Smith Presiding

At 2.57 p.m., Hon. Allen H. Smith, Member of the Assembly from the Forty-third District, presiding

Speaker Pro Tempore Presiding

At 3.04 p m , Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

The roll was called, and Amendments Nos. 156, 157, 158, 159, 160, 161, 162, and 163 adopted by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Doyle, Dunn, Erwin, Fleury, Grant, Gubser, Hahn, Hansen, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McGee, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—35.

NOES—Beck, Berry, Brady, Burkhalter, Coats, Crowley, Dills, Dolwig, Evans, Geddes, Hagen, Henderson, Kilpatrick, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Stanley, and Thomas—25.

Request for Unanimous Consent That Substitute Amendment to Item 69 Be Considered

Mr. McCollister asked for, and was granted, unanimous consent that a proposed substitute amendment to Item 69, which has not yet been considered, and is being proposed as Amendments Nos. 87, 88, 89, 90, and 91, to Assembly Bill No. 500, by the Committee on Ways and Means be considered, at this time.

Consideration of Proposed Amendment by Mr. McCollister
Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 14 of the printed bill, between lines 12 and 13, insert

"69.5—For additional support of Los Guilucus School for Girls, Youth Authority, for employment and salary of Head Farmer, Grade 1 .. 4,100".

Amendment read, and refused adoption.

Consideration of Item 69, Committee Amendments Nos. 87, 88, 89, 90, and 91

Amendment No. 87

On page 13, line 42, of said bill, strike out "290,430", and insert "288,969".

Amendment No. 88

On page 14, line 3, of said bill, strike out "206,235", and insert "205,405".

Amendment No. 89

On page 14, line 5, of said bill, strike out "5,320", and insert "4,689".

Amendment No. 90

On page 14, line 7, of said bill, strike out "299,810", and insert "298,349".

Amendment No. 91

On page 14, line 12, of said bill, strike out "290,430", and insert "288,969".

Amendments read, and adopted

Further Consideration of Author's Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

On page 79, line 33, of the printed bill, strike out the period, and insert "; and provided further that no part of the appropriation made by this item shall be available for expenditure or apportionment unless or until the Education Code is amended to require that each district to which an apportionment is made shall provide for the expenditure from the receipts of district taxes not less than 15 percent of the cost of support of child care centers, and such additional amounts therefrom as may be determined by the Department of Education upon the basis of need."

Amendment read.

Demand for Previous Question

Messrs. McGee, Grant, Smith, Hansen, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Kirkwood to Assembly Bill No. 500.

Amendment Withdrawn

Mr. Kirkwood withdrew his amendment to Assembly Bill No. 500.

Assembly Bill No. 500 ordered reprinted, and engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Munnell:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Respectfully submitted.

WM. A. MUNNELL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Legislature Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Munnell:

An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3387: By Mr. Munnell—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Messrs. Collier, Stewart, Lanterman, Burke, Lipscomb, and Doyle:

House Resolution No. 94

Relating to the necessity for installation of telephones along the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway handles one of the largest traffic volumes in the world; and

WHEREAS, The Arroyo Seco Parkway, except at its entrances and exits, some of which are more than a mile apart, is enclosed by a wire fence; and

WHEREAS, Such fence and the small number of entrances and exits to Arroyo Seco Parkway cause considerable inconvenience to motorists whose automobiles come into disrepair or exhaust their fuel supplies upon the parkway by making it extremely difficult for such motorists to seek assistance; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission is requested to cause telephones to be installed at convenient locations along the Arroyo Seco Parkway for the use of motorists who may require them to call for emergency assistance in the operation of their vehicles along said parkway; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the members of the California Highway Commission.

Resolution read, and ordered referred to the Committee on Rules.

MOTION TO DISPLAY MAPS

Mr. Dolwig moved that the maps showing proposed congressional, senatorial, and assembly district reapportionment plans be displayed in the Assembly Chamber, under the supervision of the Chairman of the Committee on Rules, for the use of members.

Mr. Silliman seconded the motion.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 20
Senate Joint Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 20—Relative to the construction of the Pillar Point Breakwater Project at Half Moon Bay, California.

Referred to Committee on Rules.

Senate Joint Resolution No. 11—Relative to the use of fresh food products in United States Army Camps.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 908

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in Special Revolving Funds.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 504
Senate Bill No 752
Senate Bill No. 905

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 504—An act to amend Section 13425 of the Education Code, relating to the attendance of teachers upon institute.

Referred to Committee on Education.

Senate Bill No. 752—An act to add Section 13808 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications

Referred to Committee on Education.

Senate Bill No. 905—An act to amend Sections 1155, 1156, 1157, and 12420 of the Government Code, relating to pay roll deductions for public employees.

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Municipal and County Government, in Room 426
Education, in Room 432.
Constitutional Amendments, in Room 435.

Today upon adjournment—

Conservation, Planning, and Public Works, in Room 427.
Governmental Efficiency and Economy, in Room 435
Manufacturing, Oil, and Mining Industry, in Room 432.

Tomorrow, Thursday, March 22d, at 9 30 a.m.—

Rules, in Room 320

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

ASSEMBLY
COMMITTEE ON LEGISLATIVE REPRESENTATION
SACRAMENTO, CALIFORNIA, March 21, 1951

Hon Sam L. Collins
Speaker of the Assembly
Assembly Chambers, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statements and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

Adam, James, Box 99, Presidio Station, San Francisco
Golden Gate Bridge and Highway District

Agnew, Frank J., 315 Montgomery St., Room 1111, San Francisco
The National Board of Fire Underwriters

Agrillo, Anthony, P. O. Box 494, San Jose 3
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists and Proprietors

Alloway, George O., Rowan Bldg., Los Angeles 13
Hearst Publishing Company, Inc.

Anderson, Alan G., 1625 Russ Bldg., San Francisco 4
Municipal License Tax Association

Arnold, Lewis E., 600 City Hall, Los Angeles 12
City of Los Angeles

Austin, Frederick L., 506 Santa Monica Blvd., Santa Monica
Shoreline Planning Association of California, Inc.

Ballard, G. W., 198 W. 6th St., Los Angeles 14
Brotherhood of Railroad Trainmen

Barr, William A., 1100 N. Mission Road, Los Angeles 33
Board of Supervisors, Hall of Records

Baumgartner, John Jr., 681 Market St., San Francisco
California Cattlemen's Association

Bayer, Charles P., 1151 So. Broadway, Los Angeles 15
Los Angeles Chamber of Commerce

Beaton, R. H., Ferry Building, Terminal Island
California Fish Canners Association, Inc.

Benton, Boren R., 206 So. Spring St., Los Angeles 12
Initiative and Referendum Bureau of California

Blanck, C. T., 104 New Montgomery St , San Francisco
The Pacific Telephone and Telegraph Co.

Bookman, Joe, 101½ So. Greoillea, Inglewood
Justices and Constables Association of California

Brennan, Raymond L., 417 So. Hill St., Los Angeles 13
Interment Association of California

Bromley, Elmer P., 714 W Olympic Blvd., Los Angeles 15
Pacific Gas and Electric Co., San Francisco
California Oregon Power Co., Yreka
Southern Calif. Gas Co., Los Angeles
Southern Counties Gas Co., Los Angeles
Calif. Electric Power Co., Riverside
San Diego Gas & Electric Co., San Diego
Coast Counties Gas & Electric Co , Santa Cruz
Southern California Edison Co., Los Angeles

Brown, Charles A., 350 Bush St., San Francisco
California State Chamber of Commerce

Burke, Stanley, 461 Market St , San Francisco 5
California Self-Insurers Association

Butler, Monroe, 1015 Subway Terminal Bldg., Los Angeles
Superior Oil Company
Artists' Managers Guild

Cahill, F. Everett, 140 New Montgomery St , San Francisco
The Pacific Telephone and Telegraph Co

Cannon, Vern H., 846 So. Union Ave., Los Angeles 17
Public Relations Division, Joint Council of Teamsters No. 42

Carlson, Donald A., 530 W. Sixth St , Los Angeles
Dairy Institute of California

Carpenter, Richard, Claremont Hotel Bldg , Berkeley 5
League of California Cities

Carr, Francis J., 245 Market St , San Francisco 6
Pacific Gas & Electric Co.

Cerini, Floyd B., 130 Montgomery St., San Francisco
California Land Title Association

Chandler, Laurence, 1151 So. Broadway, Los Angeles 15
Los Angeles Chamber of Commerce

Chapman, Cletus W., 846 S. Union Ave., Los Angeles 17
Joint Council of Teamsters No 42

Chase, Frederic A., 3723 Wilshire Blvd., Los Angeles 5
California Council of Architects

Chelew, John R., 725 So. Spring St., Los Angeles
Merchants & Manufacturers Association

Clancy, Ed , 417 So. Hill St , Los Angeles
California Medical Association

Claudius, H. G., 55 New Montgomery St., San Francisco
Consolidated Milk Producers for San Francisco

Cleary, Donald W., Hotel Senator, Sacramento
City and County of San Francisco—Contractual

Conser, Eugene P., 117 W. Ninth St., Los Angeles 15
California Real Estate Association

Cooper, Vincent T., 400 Forum Bldg , Sacramento
County Supervisors Association of California

Cragin, J. Harold, 458 So Spring St., Los Angeles 13
Southwestern Portland Cement Co., Los Angeles
Riverside Cement Co., Los Angeles
California Portland Cement Co., Los Angeles
Monolith Portland Cement Co., Los Angeles

Davis, Arthur F., 3612 Fulton Ave., Sacramento 15
Western Tax Council, Inc.

Davis, Neill, 433 So. Spring St , Los Angeles
California Savings & Loan League

Dean, J. M., 1666 Wilshire Blvd , Los Angeles
Building Material Dealers' Credit Association

Derrough, John H., 580 Washington St., San Francisco 11
Insurance Brokers Exchange of California

Despol, John A , 1010 So. Broadway, Los Angeles 15
CIO—California Industrial Union Council

Dick, J. Edgar, 681 Market St., San Francisco
California Cattlemen's Association

Difani, George D., Route 3, Box 7922, Carmichael
Associated Sportsmen of California
Sportsmen's Council of Central California
Northern California Conservationists
Southern Council of Conservation Clubs, Inc.
Organized Sportsmen of California

Dinkelspiel, Martin J., 333 Montgomery St., San Francisco
California State Sheriffs' Association

Dudley, Arthur S., 531 Southgate Road, Sacramento
Western Tax Council, Inc.

Durbrow, Robert T., 932 Pacific Bldg., San Francisco
Irrigation Districts Association of California

Early, Robert E., 4608 Wilshire Blvd., Los Angeles
Farmers Underwriters Association

Ellsworth, Von T , 1400 Tenth St., Sacramento
California Farm Bureau Federation

Finks, Harry, 5257 H St., Sacramento
California State Federation of Labor, AF of L

Fox, Stark, 1035 Subway Terminal Bldg., LA 13
Oil Producers Agency of California

Fulcher, Clinton J., Lookout, Modoc County, Calif.
Northern California County Supervisor's Association

Garrod, R. V., Saratoga, California
Farmers Underwriters Association

Gibbens, C. M., 3800 Roderick Rd., Los Angeles 65
Brotherhood of Railway Carmen of America

Gibbs, Charles E., 25 California St., San Francisco
Associated Farmers of California, Inc.

Gilchrist, John P., 333 Pine St., San Francisco
San Francisco Chamber of Commerce

Gilman, Don E., 530 W. Sixth St., Los Angeles
Kelco Company

Gilmore, Joseph P., 57 Post St., San Francisco
Draymen's Association of San Francisco

Gray, Fred W., 1220 Hearst Bldg., San Francisco 2
No. 1-A District Agricultural Association

Green, Norman M., Box 617, Dunsmuir
Brotherhood of Railroad Trainmen

Groezinger, Leland B., 400 Montgomery St., San Francisco
American Mutual Alliance
California County Mutual Insurance Association

Haggerty, C. J., 995 Market St., San Francisco
California State Federation of Labor, A F of L.

Haggerty, Gerald, 2860 24th St., San Francisco
California Grocers Assn., San Francisco
California Grocers Assn., Sacramento

Hammell, Irving E., 2315 Palm St., Bakersfield
Allied Printing Trades Legislative Committee

Harp, W. J., Division of Fish & Game, State Office Building, No. 1, Sacramento
Division of Fish & Game

Herrington, Lou I., 533 Forum Building, Sacramento
California State Restaurant Association

Hill, W. V., 58 Sutter St., San Francisco 4
California Transit Association

Hines, John V., 615 Forum Bldg., Sacramento
California State Ass'n. of Life Underwriters, Inc.

Honey, Joseph H., 112 Valencia St., San Francisco
California State Ass'n. of Journeymen Barbers, Hairdressers, Cosmetologists & Proprietors

Hopelain, Richard, 503 Market St., San Francisco
Northern California Pharmaceutical Assn.

Horan, Raymond, Court House, Oakland, California
League of County Employees Assn.

Irvine, G. F., 951 Pacific Building, San Francisco
California State Legislative Board
Brotherhood of Locomotive Firemen and Enginemen

Johnson, Mrs. Roberta, 1030 Galindo, Concord, California
California Institute of Social Welfare

Jordan, Louis, Court House, Oakland 7
League of County Employees Association

Kahn, Max R., 1616 Mills Tower, San Francisco 4
Jefferson E. Peyser (Wine Institute)

Keller, Lewis, Hotel Claremont Bldg., Berkeley 5
League of California Cities

Kennedy, Anthony J., 635 Forum Bldg., Sacramento
California State Dental Assn.
Southern California State Dental Assn.
Legislative Council of Professional Engineers
Associated Tobacco Industries of California

Knight, T. Fenton, 333 So. Fair Oaks Ave., Pasadena
Los Angeles Chamber of Commerce

Keaton, Morgan, 806 Senator Hotel, Sacramento
California Grocers Association

Kugler, Jay H., 57 Post St., San Francisco
Dairy Institute of California

Landels, Edward D., 275 Bush St., San Francisco 4
California Bankers Assn.

Lee, Dr. Thomas, 323 Forum Bldg., Sacramento
California Chiropractic Assn.

Leheney, Raymond F., 846 So. Union Ave., Los Angeles 17
Public Relations Div., Joint Council of Teamsters No. 42

Lindsay, Alan A., 9th Floor, Court House, Oakland 7
County of Alameda, Office of the District Attorney

Lippold, Earl O., 1100 Hall of Records, Los Angeles
County of Los Angeles, Board of Supervisors

Little, Walter J., 510 W. 6th St., Los Angeles
Southern Pacific Co.
A T & S F Railway
Union Pacific R R
Western Pacific R R
Northwestern Pacific R R

Long, E. A., 245 Market St., San Francisco
Pacific Gas & Electric Co.

Luther, John M., Route 1, Box 1357, Fair Oaks
California Central Valleys Flood Control Assn.

Lyons, William, 207 So. Broadway, Los Angeles
Dept. of Water & Power, City of Los Angeles,

MacDougall, William R., 400 Forum Bldg., Sacramento
County Supervisors Association of California

Marshall, Ross, 1243 Trenton St., Los Angeles
John F. Forbes & Co.

McColly, Don W., 350 Bush Street, San Francisco 4
California State Chamber of Commerce

McCracken, O. V., 356 S. Spring St., Los Angeles 13
California Pharmaceutical Assn.

McGilvray, Kenneth G., 315 Forum Bldg., Sacramento
Building Material Dealers' Credit Assn.

McGlynn, Harold J., 3233 W. Vernon, Los Angeles
Pacific Telephone & Telegraph Co.

McKay, Robert E., 391 Sutter St , San Francisco
California Teachers Assn.

McKenzie, Jack G., 465 California St., San Francisco 4
National Board of Fire Underwriters

McLennan, A. D., Santa Fe Bldg., Los Angeles
A T & S F Railroad

McNamara, E. F., 2500 Market Street, Oakland 7
International Assn., of Fire Fighters Local 55

Meredith, George F., El Rancho, Sacramento or 417 So. Hill, L. A.
American Tunaboat Association

Merz, Elmer J., 304 Mitau Bldg., Sacramento
California Association of Nurserymen

Miller, James A., 160 Eddy St., San Francisco
California State Hotel Association, Lt.

Miles, H. M., 65 Market St., San Francisco
Southern Pacific Company

Moore, Edwin S., 150 Van Ness Ave., San Francisco
California State Automobile Assn.

Morris, J. H., 1217 Taft Bldg., Hollywood 28
Santa Monica Sea Food Co.

Morton, Harold C., 1126 Pacific Mutual Bldg., Los Angeles
Artists' Managers Guild
Superior Oil Company
Calif. Div. of Horsemen's Benevolent and Protective Assn

Muckler, Robert, 601 W. 5th St , Los Angeles
Superior Oil Company

Mueller, R. A., 1030 Forum Bldg., Sacramento
California Baby Chick Assn., Inc.
California Turkey Federation, Inc.

Neal, William H., 412 City Hall, Los Angeles
City of Los Angeles

Nixon, William, 419 Cherry Ave., Roseville
Brotherhood of Railroad Trainmen

Nobriga, Ralph, 140 Quincy Ave., Long Beach
Federated Firefighters of California

Ogle, Joe E , 308 Hall of Records, Santa Ana
County of Orange

Oliver, David V., 64 Pine St., San Francisco 11
Canners League of California

Owens, Richard W., 2223 Fulton St., Berkeley 4
California Farm Bureau Federation

Paine, Tevis, 1015 24th St., Sacramento
Western Fairs Association
California Thoroughbred Breeders Assn.

Parrish, Lew W., 846 So. Union Ave., Los Angeles 17
Public Relations Division, Joint Council of Teamsters No. 42

Paxton, Stephen C., 209 Hotel Senator, Sacramento
California State Chamber of Commerce

Pellett, F. G., 844 Pacific Bldg., San Francisco
Brotherhood of Railway Trainmen

Perry, Newel, 2421 Woolsey St., Berkeley 5
California Council for the Blind

Peterson, Lynn G., 1910 N. Main St., Los Angeles
Los Angeles Brewing Company

Peyser, Jefferson E., 1616 Mills Tower, San Francisco
Wine Institute
Retail Poultry & Fish Dealers Assn.
East Bay Poultry & Fish Association

Phillips, Lloyd A., 812 Tenth St., Sacramento
Southern Pacific Co.
A T & S F Railway
Union Pacific Railway
Northwestern Pacific Railway

Phillips, James H., 812 Tenth S., Sacramento
California State Employees Association
California School Trustees Association & Authorization

Pitts, Thomas L., 846 S. Union Ave., Los Angeles
California State Federation of Labor, AF of L.

Read, Ben H., 108 W Sixth St., Los Angeles
Public Health League of California

Read, Eugene A., 427 13th St., Oakland
Oakland Chamber of Commerce

Rector, Milton G., 105 Montgomery St., San Francisco 4
National Probation and Parole Assn.

Redfield, J. Miller, 1629 Virginia Ave., Glendale
California Loan & Finance Association

Reynolds, Harold G., 1331 T. St., Sacramento 14
California State Builders Exchange, Ltd.
Construction Industry Legislative Council

Robbins, Wesley E., 145 Buckingham Way, San Francisco
California State Nurses Association

Rossi, Jack G., 25 California St., Room 246, San Francisco
Associated Farmers of California, Inc.

Rowland, Gilford G., 537 Forum Bldg., Sacramento
Pacific American Steamship Association
San Francisco Employers Council

Sargent, Arthur M., 681 Market St., San Francisco 5
California Society of Certified Public Accountants

Schofield, W. R., 681 Market St., San Francisco
California Forest Protective Ass'n.

Schumacher, Thomas C., 1298 Wilshire Blvd., Los Angeles
California Osteopathic Association

Scully, Charles P., 995 Market St, San Francisco
California State Federation of Labor AF of L

Seig, F. G, 335 H. W Hellman Bldg., Los Angeles
California State Legislative Committee
Order of Railway Conductors of America

Shenk, Samuel C., 111 Sutter St., San Francisco 4
Northern California Chapter, the Associated General Contractors of America, Inc.

Shepherd, George M., 28 N. First St, San Jose
California Drycleaners Assn., Inc.

Smith, Don, 9022 Gibson St., Los Angeles 34
California State Firemen's Ass'n.

Spencer, J. C., 150 Van Ness Ave., San Francisco 3
California State Automobile Assn.

Sprague, Frank L., 2101 K St, Sacramento
Sacramento Municipal Utility District

Stevens, Berenice, 3102 Stuart St., Oakland 2
California Assn., of Medical Laboratory Technicians, Inc.

Stevens, Charles R., 1632 Russ Building, San Francisco
Pillsbury, Madison & Sutro (Standard Oil Co)
Shell Oil Co.
General Petroleum Corp.
Richfield Oil Corp.

Stevens, Lawrence C., 621 S. Hope St., Los Angeles
Pacific Finance Corp.

Stoll, Katherine Adams, 412 W. Sixth St., Los Angeles 14
California Federation of Business and Professional Women's Clubs, Inc.

Stuart, C. A., Stockton, California
County of San Joaquin, Board of Supervisors

Tomasini, Belle, Apt. 215 Park Mansions, 15th & N St, Sacramento
Calif. Physical Therapists Assn.

Troost, Frank W., 3411½ W. 43rd Place, Los Angeles
California Monument Assn., Inc.

Trusty, L. Sherman, 349 S. Hill St., Los Angeles 13
California Barber School Assn.

Tuttle, Richard E., 275 Bush St., San Francisco 4
Landels & Weigel

Wakefield, George W., 1100 Hall of Records, Los Angeles
County of Los Angeles, Board of Supervisors

Ward, Bernard J., 206 City Hall, San Francisco
City and County of San Francisco

Waters, Earl G., 610 Dudley Way, Sacramento
Disabled American Veterans

Watts, W. T., 1414 K St., Sacramento
Pacific Tel & Tel Co.

Weil, Jerold E., 2100 Central Tower, San Francisco
State Bar of California

Weinstock, Sidney L., 465 California St., San Francisco
Beneficial Standard Life Insurance Co.

White, Arthur W., 1220 Swanston Dr.
Proprietary Truck Owners Committee

Wilkins, Philip C., Box 941, Main Office, Los Angeles 53
California Association of State Auditors

Will, Arthur J., 1100 No. Mission Road, Los Angeles
Los Angeles County General Hospital

Williams, W. F., 1404 Franklin St., Oakland 12
California Association of Insurance Agents

Yarwood, Paul, 1400 Tenth St., Sacramento
California Optometric Assn.

The names of persons who have filed as legislative advocates but do not appear on the foregoing list have been withheld by your committee because of technical defects in the application, for further information, or for further consideration by your committee.

All registrants whose names have been withheld will be notified, and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

FRANK P. BELOTTI
BERNARD R. BRADY
WILLIAM H. ROSENTHAL
H. ALLEN SMITH
RICHARD J. DOLWIG, Chairman

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wiebert Bonnery, Rev. and Mrs. Frank Butterworth of the White Temple Methodist Church Youth Fellowship—Anaheim; Mary Dougherty, Myrna Lewellyn, Anaheim High School; Shelley Smith, Gordon Schwacofer, Fred Edwards Jr., Loren Herman, and Don Brummet, Fullerton Junior College; and Chuck Wiggins, San Bernardino Junior College.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Louis M. Karn of San Diego.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Henry Behrens of Lincoln, Nebraska.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Janet Kovaleff, Mascot; Mrs. John Kovaleff, Guardian; Mrs. Fred Evenden, Assistant Guardian; and Mrs. Claude Snooks and Mrs. W. E. Wise, assisting mothers of and the following members, of Ka o mni Camp Fire Girls of Sacramento: Joan Cannon, Bonnie Gorman, Judy Gray, Barbara Kovaleff, Lois Kuroko, Marlene Lorenzen, Judy Noblett, Carol Marsiglia, Judy Roberts, Beverly Seay, Jacqueline Silva, Agnes Snooks, Sherry Westburg, Beverly Wise, and Marilyn Ziegler.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Wendell Dodd and Jack Monson of Redondo.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Major Lloyd Wade of Los Angeles.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Rabbi Irving I. Hausman of Sacramento.

On request of Messrs. Kirkwood and Gubser, the usual courtesies of the Assembly for this day were unanimously extended to W. H. Davis and the following members of Alpha Delta Club of Palo Alto Congregational Church: David H. Catheart, Ashley T. Cox, Haskins K. Kashewa, William Wan, and Richard J. Wylie.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Ann Young, Jenny Rertock, Katherine Burton, and Mary B. Homaday of Los Angeles.

On request of Mr. Grant, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth Sampson of Los Angeles.

On request of Mr Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Dewey Dolf of Arcata.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert Ruddick and Mary Joe Ruddick of San Francisco.

ADJOURNMENT

At 3.52 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9 30 a.m., Thursday, March 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

TWENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 22, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Thou Light of Life, shine out in the darkness of our disturbed world and hasten the day of peace and brotherhood.

In our responsibilities of government, we pray for vision to believe, faith to pursue and courage to complete the tasks set before us. Grant unto us that inner radiance by which we are enabled to look serenely upon this troubled world and take our place in the planning for a new and better day.

"Light of the world, before Thee
Our spirits prostrate fall;
We worship, we adore Thee,
Thou Light, the Life of all;
With Thee is no forgetting
Of all Thine hand hath made;
Thy rising hath no setting,
Thy sunshine hath no shade"

Through Jesus Christ our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Lowrey.
Mr. Cooke, on motion of Mr. Lowrey.
Mr. Grunsky, on motion of Mr. Hansen.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Gubser, on motion of Mr. Lindsay.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 68	Assembly Bill No. 1313
Assembly Bill No. 69	Assembly Bill No. 1676
Assembly Bill No 70	Assembly Bill No. 2026
Assembly Bill No. 75	Assembly Bill No. 2664
Assembly Bill No. 991	Assembly Bill No. 3155
Assembly Bill No. 992	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS BE CONSIDERED OUT OF ORDER

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bills Nos. 141, 41 and 42 be considered, out of order, for purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILLS NOS. 141, 41, AND 42

Assembly Bill No. 141—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 481 to", and insert "amend Section 480 of".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Senatorial".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "481 is added to", and insert "480 of".

Amendment No. 5

On page 1, line 1, of said bill, strike out the comma, and insert "is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"480. The State is divided into 40 senatorial districts, which shall be designated and constituted as follows.

1 The Counties of Modoc, Lassen and Plumas shall constitute the First Senatorial District

2. The Counties of Del Norte and Siskiyou shall constitute the Second Senatorial District

3. The County of Humboldt shall constitute the Third Senatorial District

4. The Counties of Mendocino and Lake shall constitute the Fourth Senatorial District

5. The Counties of Trinity and Shasta shall constitute the Fifth Senatorial District

6. The County of Butte shall constitute the Sixth Senatorial District.

7. The Counties of Sierra, Nevada and Placer shall constitute the Seventh Senatorial District.

8. The Counties of Tehama, Glenn and Colusa shall constitute the Eighth Senatorial District

9. The Counties of El Dorado [,] *and* Amador [and Alpine] shall constitute the Ninth Senatorial District.

10. The Counties of Yuba and Sutter shall constitute the Tenth Senatorial District

11 The Counties of Napa and Yolo shall constitute the Eleventh Senatorial District.

12. The County of Sonoma shall constitute the Twelfth Senatorial District.

13 The County of Marin shall constitute the Thirteenth Senatorial District.

14 The City and County of San Francisco shall constitute the Fourteenth Senatorial District

15. The County of Solano shall constitute the Fifteenth Senatorial District.

16 The County of Alameda shall constitute the Sixteenth Senatorial District.

17. The County of Contra Costa shall constitute the Seventeenth Senatorial District.

18 The County of Santa Clara shall constitute the Eighteenth Senatorial District.

19 The County of Sacramento shall constitute the Nineteenth Senatorial District

20 The County of San Joaquin shall constitute the Twentieth Senatorial District.

21. The County of San Mateo shall constitute the Twenty-first Senatorial District.

22. The County of Stanislaus shall constitute the Twenty-second Senatorial District.

23. The [County] *Counties* of Santa Cruz *and San Benito* shall constitute the Twenty-third Senatorial District.

24. The Counties of Merced and Madera shall constitute the Twenty-fourth Senatorial District.

25 The [counties] *County* of Monterey [and San Benito] shall constitute the Twenty-fifth Senatorial District.

26. The Counties of Tuolumne, Mariposa and Calaveras shall constitute the Twenty-sixth Senatorial District.

27 The County of Kings shall constitute the Twenty-seventh Senatorial District.

28. The Counties of *Alpine*, Mono and Inyo shall constitute the Twenty-eighth Senatorial District.

29. The County of San Luis Obispo shall constitute the Twenty-ninth Senatorial District.

30. The County of Fresno shall constitute the Thirtieth Senatorial District.

31. The County of Santa Barbara shall constitute the Thirty-first Senatorial District.

32. The County of Tulare shall constitute the Thirty-second Senatorial District.

33. The County of Ventura shall constitute the Thirty-third Senatorial District.

34. The County of Kern shall constitute the Thirty-fourth Senatorial District.

35. The County of Orange shall constitute the Thirty-fifth Senatorial District.

36. The County of San Bernardino shall constitute the Thirty-sixth Senatorial District.

37. The County of Riverside shall constitute the Thirty-seventh Senatorial District.
38. The County of Los Angeles shall constitute the Thirty-eighth Senatorial District.
39. The County of Imperial shall constitute the Thirty-ninth Senatorial District.
40. The County of San Diego shall constitute the Fortieth Senatorial District."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 141

Messrs. Beck and Waters asked for, and were granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 141.

Assembly Bill No. 41—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

(See Assembly Journal for March 23, 1951, page 1901, for action expunging record on amendments to Assembly Bill No. 41.)

Assembly Bill No. 42—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

(See Assembly Journal for March 23, 1951, page 1901, for action expunging record on amendments to Assembly Bill No. 42.)

REQUEST FOR UNANIMOUS CONSENT THAT TIME OF COMMITTEE MEETINGS BE CHANGED

Mr. Waters asked for, and was granted, unanimous consent that the Committee on Elections and Reapportionment be permitted to meet every Tuesday at 3 p.m. instead of at 8 p.m. every Tuesday, as has been the custom.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 20, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: Will you convey to the Members of the Assembly the sincere thanks of Mrs. Warren, our daughters Dorothy and Nina, and myself, for the thoughtfulness shown in the adoption of the resolution which you sent to us.

We are all well along on the road to recovery, and the interest shown by the Members of the Assembly is most heartening

Sincerely,

EARL WARREN, Governor

By the Chief Clerk:

A communication from Mrs. Ida R. Koverman of Hollywood, expressing appreciation to Members of the Assembly for adopting Assembly Concurrent Resolution No. 16 which carried good wishes for her rapid recovery from illness, was received, and ordered noted in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 35

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 300

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 94
Assembly Bill No. 1751
Assembly Bill No. 1838

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No. 270
Assembly Bill No. 273
Assembly Bill No. 303
Assembly Bill No. 304
Assembly Bill No. 478
Assembly Bill No. 1742
Assembly Bill No. 1743
Assembly Bill No. 1811
Assembly Bill No. 2378

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1605

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28
Assembly Bill No. 836

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 341—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 605—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1089—An act to add Article 6, comprising Sections 1953i to 1953l, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1090—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1200—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1202—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1276—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1277—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2450—An act to amend Section 1873 of the Civil Code, relating to unclaimed property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2718—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2752—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 457—An act to amend Sections 221, 234, 235, 236, and 240 of, and to repeal Sections 234.5, 243, 246, and 247 of, the Agricultural Code, relating to bovine tuberculosis.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353 10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

Bill read second time, and ordered engrossed

Assembly Bill No. 2938—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business

Bill read second time, and ordered engrossed.

Assembly Bill No. 1905—An act to amend Section 54 of the Fish and Game Code, relating to game management areas

Bill read second time, and ordered engrossed.

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Bill read second time, and ordered engrossed

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2321—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3021—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1638—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2673—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2674—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2679—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 176—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Institutions or its agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 254—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 352—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 353—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1688—An act to add Section 2006.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1702—An act to add Section 2142 to the Welfare and Institutions Code, relating to old age security, in respect to services rendered in the administration of old age security.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2677—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 606—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "one", insert ", including the State of California, county, city and county, city or any other political subdivision of the State of California,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1091—An act to add Title 11, comprising Sections 1300 to 1332, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, strike out lines 23, 24, and 25.

Amendment No. 2

In line 1 of the title of the printed bill, after "Sections 1300 to", strike out "1332", and insert "1331".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1203—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 19, of the printed bill, after "theft", strike out "of", and insert "or".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2760—An act to add Section 1418 to the Fish and Game Code, relating to giving aid to persons accidentally shot.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "guilty of a", strike out "felony", and insert "misdemeanor".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 7, of the printed bill, after "include", insert "domestic".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 12, inclusive, and insert "growth cracks, sunburn, second growth, cuts, bruises, grass roots, nematodes, or other causes. Damage to any one potato is not serious unless it causes a waste of 10 per cent, by weight, of the individual potato.

Damage by cuts shall also be considered serious when both ends are clipped or when more than an estimated one-fourth of the potato is cut away, or in the case of long varieties when the remaining portion of the clipped potato weighs less than six ounces"

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "Nor", and insert "Not".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 944—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, between lines 7 and 10, insert

"SEC. 2. The provisions of Sections 1156 and 1157 shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1492—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 3 of the title of the printed bill, after "thereto", insert ", to take effect immediately".

Amendment No. 2

On page 2 of said bill, after line 6, insert

"SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 11, of the printed bill, after "Tahoe", insert "or Topaz Lake".

Amendment No. 2

On page 1, line 17, of said bill, after "Tahoe", insert "or Topaz Lake".

Amendment No. 3

On page 1, line 23, of said bill, after "Tahoe", insert "or Topaz Lake".

Amendment No. 4

On page 1, line 25, of said bill, after "Tahoe", insert "or Topaz Lake".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2672—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "any facts concerning"; and in line 7, strike out "the physical, mental or nervous condition of a person.", and insert "whether or not a person is suffering from any physical, mental or nervous disorder."

Amendment No. 2

On page 1, line 13, of the printed bill, after the period, insert "Machines or mechanical devices for measuring or ascertaining height or weight are excluded from this section. Nothing in this chapter shall be construed as limiting or enlarging the practice of licensed clinical laboratory technologists and other persons licensed under any provision of law relating to the healing arts. The performance of specified services on referral from a person licensed under this chapter, is not a diagnosis within the meaning of this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2676—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 5, of the printed bill, after "commitment", insert "or admission to a state hospital".

Amendment No. 2

On page 1, line 19, of the printed bill, strike out "satisfactory", and insert "competent".

Amendment No. 3

On page 1 of the printed bill, strike out line 20, and insert "and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2678—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "becomes", and insert "is".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 6, line 40, of the printed bill, as amended, strike out "specified in Section 8738", and insert "required by law".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1158—An act to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 15, 1951, after "to", insert "add Section 269b to and to".

Amendment No. 2

On page 2 of said bill, between lines 2 and 3, insert

"SECTION 1. Section 269b is added to the Code of Civil Procedure, to read:

269b. In each county and city and county having a population of 730,000 inhabitants or over, as determined by the Federal Census taken in 1950, in which the judges of the superior court in and for such county have not appointed regular official phonographic reporters pursuant to the provisions of Chapter 1031 of the Statutes of 1943, as amended, if a majority of the judges of such court concur in an order that appointments may be made pursuant to this section, the judges thereof may each appoint a competent phonographic reporter, specifying that the appointment is pursuant to Section 269b of this code In such event all of the provisions of Chapter 1031 of the Statutes of 1943, as amended, other than those in conflict herewith, shall be in full force and effect and fully operative in such county except that the official reporters appointed pursuant to the provisions hereof shall not receive the annual salary therein provided but in lieu thereof each shall be paid twenty-seven dollars and fifty cents ($27.50) per day for the days he is actually on duty under order of the court Each reporter appointed pursuant to this section shall, in addition to his other duties, perform such secretarial services for the judge by whom he is appointed as such judge may require in the performance of his official duties."

Amendment No. 3

On page 2 of said bill, strike out lines 3 and 4, and insert

"SEC. 2. Section 261g of the Code of Civil Procedure is amended to read:"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1254—An act to amend Sections 6060, 6060.6, and 6060.7 of the Business and Professions Code, relating to requirements for admission to practice law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 6060 6, and 6060.7", and insert "and 6062, and to repeal Sections 6060.5, 6060.6, 6060.7, and 6061".

Amendment No. 2

On page 1, line 5, of said bill, strike out "meet the requirements of", and insert "comply with"

Amendment No. 3

On page 1, lines 13 and 14, of said bill, strike out "or have reached the age of 25 years", and insert ". This requirement does not apply to a person who commenced the study of law after reaching the age of 25 years and who registered as a law student as provided in subdivision (f) hereof, prior to January 1, 1952".

Amendment No. 4

On page 1 of said bill, strike out lines 20 to 25, inclusive, and insert

"(1) Graduated from a law school that requires classroom attendance, is authorized to confer professional degrees, and requires substantially the full time of its students for three years or a part of their time for four years; or

(2) Commenced the study of law and registered as a law student as provided in subdivision (f) hereof prior to January 1, 1952, and completed four years of law study, diligently and in good faith, in a law school, or by correspondence, or in a law office, or privately, or by a combination of any two or more of these methods."

Amendment No. 5

On page 2 of said bill, strike out lines 1 and 2.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of said bill, between lines 4 and 5, insert

"SEC. 2. Section 6062 of said code is amended to read:

6062. To be certified to the Supreme Court for admission, and a license to practice law, a person, who has been admitted to practice law outside of this State, shall:

a. Be a citizen of the United States.

b. Be of the age of at least 21 years.

c. Be of good moral character.

d. Have been a bona fide resident of this State for at least three months immediately prior to the date of his examination and continuing to and including the date of his admission.

e. Have been admitted to practice before the highest court of a sister State or of any jurisdiction where the common law of England constitutes the basis of jurisprudence and have been actively and substantially engaged in the practice of law in any such jurisdiction or jurisdictions for at least four years out of the six years immediately preceding the filing of his application for admission to practice in this State. Teaching in a law school [accredited by the committee] and services as a judge of a court of law shall be considered practice within the meaning of this section In determining what constitutes practice for at least four years out of the next six years immediately preceding the filing of the application, time spent, subsequent to September 16, 1940, and prior to two years after termination of hostilities between the United States and the Nations with which the United States is now at war as determined by Act of Congress or Proclamation of the President, in active duty as a member of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, or any of their respective components, or on active sea duty as an officer or member of the crew on or in connection with vessels documented under the laws of the United States, or vessels owned by, chartered to, or operated by or for the account or use of, the War Shipping Administrator, when the applicant is not engaged in the practice of law within the meaning of this requirement shall be execluded.

f Have passed such examination as in the discretion of the examining committee may be required.

SEC. 3. Sections 6060 5, 6060 6, 6060.7, and 6061 of said code are hereby repealed."

Amendment No. 7

On page 2 of said bill, strike out lines 5 to 42, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ judge", and insert "2 judges".

Amendment No. 2

On page 1 of said bill, after line 7, insert

"(2) There shall be one clerk to be appointed by the judges of the court, who shall receive _____ dollars ($_____) per annum, payable in equal monthly installments.

(3) The clerk may appoint the following:

One chief deputy clerk who shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of twenty dollars ($20), twenty dollars, ($20), twenty-two dollars ($22), twenty-three dollars ($23) to a maximum of _____ dollars ($_____) monthly;

_____ deputy clerks who shall be court clerks and each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of _____ dollars ($_____).

_____ deputy clerks each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of _____ dollars ($_____) monthly;

_____ deputy clerks each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13) to a maximum of _____ dollars ($_____).

_____ deputy clerks each of whom shall receive a salary of _____ dollars ($_____) monthly with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11) and ten dollars ($10) to a maximum of _____ dollars ($_____).

(4) There shall be one marshal to be appointed by the judges of the court who shall receive a salary of _____ dollars ($_____) per annum payable in equal monthly installments.

(5) The marshal may appoint the following:

One chief deputy who shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22) and twenty-three dollars ($23) to a maximum of _____ dollars ($_____) monthly;

_____ deputy marshals who shall be court bailiffs, each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of _____ dollars ($_____) monthly.

_____ deputy marshals, each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of _____ dollars ($_____) monthly.

_____ deputies (custodians) at the fee allowed by law for keeping property.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

(6) Official reporters in such municipal courts described in this section, appointed as provided in Sections 274c and 274d of the Code of Civil Procedure, shall

be attaches of such court and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of _____ dollars ($_____) per month, which shall be a charge against the general fund of the county.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive _____ dollars ($_____) per day, which shall upon order of the court be a charge against the general fund of the said county .

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters and official reporters pro tempore as otherwise provided by law. In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury.

Official reporters of such court shall be members of any retirement system maintained by any county of the fifteenth class in which they are employed. For the purpose of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation

(7) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(8) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1683—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, between "person" and "shall", insert "who advocates the overthrow of the Government of the United States or of this State by force, violence, or other unconstitutional means,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "Something", and insert "Advocating the overthrow of the Government of the United States or of this State by force, violence, or other unconstitutional means,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2484—An act to add Section 92.1 to the Agricultural Code, relating to district and county agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "money", insert "appropriated under Section 92 of this code and".

Amendment No. 2

On page 1, line 7, of said bill, after "year", insert "next following the year".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2764—An act to add Section 87.3 to the Agriculture Code, relating to boards of directors of agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "a", and insert "the".

Amendment No. 2

On page 1, line 4, of said bill, strike out "only"

Amendment No. 3

On page 1, lines 5 and 6, of said bill, strike out "and conducted by a manager who shall be selected as provided in this article", and insert "in accordance with the policy established by such board."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 968—An act to amend Sections 461, 464, and 464.5 of the Agricultural Code, relating to the serving and sale of market milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "single service containers", and insert "in single service containers or in approved milk dispensing devices or receptacles,".

Amendment No. 2

On page 1, line 8, of said bill, strike out ", or"; and strike out line 9.

Amendment No. 3

On page 1, line 10, of said bill, strike out "director".

Amendment No. 4

On page 1 of said bill, following line 22, insert "Nothing in this section prohibits the sale or serving of homogenized market milk from and by the use of a milk dispensing device or receptacle which has been approved for such use by the director."

Amendment No. 5

On page 2 of said bill, strike out lines 5 to 7, inclusive, and insert "cream The serving of homogenized market milk from a milk dispensing device or receptacle which has been approved in accordance with Section 461 is not prohibited by this section."

Amendment No. 6

On page 2 of said bill, strike out lines 14 to 16, inclusive, and insert "The dispensing of homogenized market milk from a milk dispensing device or receptacle which has been approved in accordance with Section 461 is not prohibited by this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1633—An act to amend Section 53040 of the Water Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 53040", and insert "Sections 51440 and 51441, and to repeal Sections 50915, 51442, 51443, 51444, and 51445,".

Amendment No. 2

On page 1 line 1, of said bill, strike out "53040", and insert "51440".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 12, inclusive, and insert

"51440. When the district has obtained an irrigation system pursuant to Section 50910, and the charges for furnishing water have been fixed pursuant to Section 50911, [an assessment may be levied] *which remain unpaid at the time the board orders an operation and maintenance assessment, the board may order that such charges be included as a part of the operation and maintenance assessment levied* upon the parcels to which water has been furnished [to collect unpaid charges for such water] *and when so levied, shall be a lein against the land.*

SEC. 2. Section 51441 of said code is amended to read:

51441. [The board of supervisors, upon application of the board stating the amount of the unpaid charges, shall appoint three disinterested assessment commissioners who shall levy the assessment on the parcels on which charges for irrigation water are unpaid.] *Water charges, included as a part of an operation and maintenance assessment, when collected shall be deposited in the irrigation fund.*

SEC. 3. Sections 50915, 51442, 51443, 51444 and 51445 of said code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1634—An act to amend Section 51444 of the Water Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "51444 of", and insert "51686 of, and to add Section 51685 5 to,"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 51685.5 is added to the Water Code, to read:

51685.5. If the total amount of land to be sold at any one sale consists of no more than 50 acres, the board of trustees shall act as the board of appraisement and in such case the provisions of Sections 51685, 51687, 51688, 51689, and 51690 are not applicable

SEC. 2. Section 51686 of said code is amended to read:

51686. *If the total amount of land to be sold at any one sale consists of more than 50 acres*, the board of appraisement shall consist of.

(a) One member who is an officer or an authorized appraiser of a banking corporation formed under the laws of this State, or the manager of a branch bank of such banking corporation, or an officer or cashier of a national banking association, having a place of business in the county in which the parcel or some portion thereof is situated.

(b) One member who is an inheritance tax appraiser of the county in which the parcel is located.

(c) One member, a disinterested person, who is a licensed real estate broker, selected by the two other members of the board"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2717—An act to add Section 6515 to the Welfare and Institutions Code, relating to purchase of oleomargerine for state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "The", and insert "Whenever the State is unable to purchase or to acquire surplus butter from the Federal Government the".

Amendment No. 2

On page 1, line 4, of said bill, after "purchase", insert "colored".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2447—An act to add Section 963.3 to the Agricultural Code, relating to seed testing and certification, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, after "facilities", insert ", at a location best suited for the purpose,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "the", and insert "such".

Amendment No. 3

On page 1, line 10, of said bill, strike out "Fund _____ dollars ($_____)", and insert "Fund forty thousand eight hundred dollars ($40,800)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge and Recreational Park by the State and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, between lines 4 and 5, insert

"Beginning at the intersection of the shore line of the Pacific Ocean with the southerly boundary of the City of Oceanside; thence northeasterly along said city boundary to an intersection with the west line of Section 31, T. 11 S., R. 4 W., S.B.B. & M.; thence north to the northwest corner of said section; thence east to the northeast corner of said section; thence southerly along the east line of said section to an intersection with the center line of that certain highway known as Vista Way, also being California State Highway No. 78; thence easterly along said center line to an intersection with the east line of Section 32, said township; thence southerly to the east quarter corner of said section; thence west to the west quarter corner of said section, said point also being on the east boundary of Hosp Eucalyptus Forest Company's Tract No. 1, according to map thereof No. 1136, records of said County; thence northerly along said east line to a point which is 100 feet southerly from the mean high tide line of the Pacific Ocean, said mean high tide line being the southerly boundary of the Buena Vista Estuary; thence westerly, parallel with and 100 feet southerly from said mean high tide line, to an intersection with the shore line of the Pacific Ocean, thence northerly along said shore line to the point of beginning."

Amendment No. 2

On page 1, line 5, of said bill, strike out "_____ ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 3221—An act to repeal subsection (c) of Section 115 of the Health and Safety Code, relating to Public Health Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to repeal Sections 115 and 28450 of, and to add Sections 117, 118, 119, 120, 121, 28451, and 28452 to the Health and Safety Code, creating the Public Health Federal Fund, making an appropriation, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Sections 115 and 28450 of the Health and Safety Code are hereby repealed.

SEC. 2. Section 117 is added to the Health and Safety Code, to read:

117. The Public Health Federal Fund in the State Treasury is hereby created. All grants of money received by this State from the United States, the expenditure

of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be deposited in the Public Health Federal Fund.

SEC. 3. Section 118 is added to the Health and Safety Code, to read:

118. All money in the Public Health Federal Fund is hereby appropriated to the State Department of Public Health, without regard to fiscal years, for expenditure for the purposes for which the money deposited therein is made available by the United States for expenditure by the State.

SEC. 4. Section 119 is added to the Health and Safety Code, to read:

119. The State Department of Public Health and the State Controller shall keep a record of the classes and sources of income deposited in, or transferred to, the Public Health Federal Fund, and of the disbursements and transfers therefrom.

SEC. 5 Section 120 is added to the Health and Safety Code, to read:

120 The Director of Finance and the State Controller may approve any general plan whereby:

(a) Any expenditures which are a proper charge against the money made available by the United States and deposited in the Public Health Federal Fund may be paid in the first instance from any appropriation from the General Fund, expenditures from which are administered through or under the direction of the State Department of Public Health, and

(b) Any expenditures which are a proper charge against an appropriation from any special fund in the State Treasury, expenditures from which are administered through or under the direction of the State Department of Public Health, may be paid in the first instance from any appropriation from the General Fund, expenditures from which are administered through or under the direction of said department, and

(c) The General Fund shall be reimbursed for expenditures made therefrom that are a proper charge against the Public Health Federal Fund or against any appropriation from any special fund

Such a general plan may provide for advance transfers from the Public Health Federal Fund to the General Fund, based on estimates of such expenditures that will be subject to reimbursement from the Public Health Federal Fund pursuant to such plan, and may provide for reimbursements to the Public Health Federal Fund, when necessary.

Request for reimbursement or transfer pursuant to such a plan shall be furnished to the State Controller in writing by the State Department of Public Health, accompanied by such financial statements as the plan may provide; and on order of the State Controller, the required amount shall be transferred in accordance therewith

SEC. 6. Section 121 is added to the Health and Safety Code, to read:

121. All grants or donations of money received by the State from sources other than the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be deposited in the Special Deposit Fund, subject to the provisions of Article 2 of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code The State Controller shall designate, by name, separate accounts within the Special Deposit Fund covering the accountability for each class of grant or donation deposited under the provisions of this section; and the State Department of Public Health and the State Controller shall keep a record of the classes and sources of income deposited in, or transferred to, each of such accounts in the Special Deposit Fund, and of the disbursements therefrom.

All moneys deposited in the Special Deposit Fund under the provisions of this section shall be available, without regard to fiscal years, for expenditure for the purposes for which such money was made available to the State

SEC. 7. Section 28451 is added to the Health and Safety Code to read.

28451. All money received by the State Department of Public Health under the provisions of this chapter shall be paid at least once each month to the State Treasurer, and on order of the State Controller, shall be deposited in the General Fund in the State Treasury.

SEC. 8. Section 28452 is added to the Health and Safety Code, to read:

28452. Notwithstanding the provisions of Section 28451, the State Department of Public Health and the Department of Finance may authorize the deposit in the Special Deposit Fund of cash deposits received by the State Department of Public Health under the provisions of Section 28412; and in such event, upon the determination by the State Department of Public Health that all or a part of any such deposit is due the State for payment on account of the depositor's pro rata share of costs incurred by the State under this chapter, the amount so determined shall, on order of the State Controller, be transferred from the Special Deposit Fund to the General Fund.

All money deposited in the Special Deposit Fund under the provisions of this section shall be subject to the provisions of Article 2 of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code.

SEC. 9. Upon authorization of the State Department of Public Health and the Department of Finance pursuant to Section 28452 of the Health and Safety Code, that portion of the amount transferred to the General Fund under the provisions of

Subdivision (b) of Section 10 of this act that represents the unexpended balance of cash deposits paid to the State under Section 28452 of the Health and Safety Code, and not yet determined to be due the State or to be refundable to the depositor, shall, on order of the State Controller, be transferred to the Special Deposit Fund, subject to the provisions of said Section 28452.

SEC. 10. All money in the Department of Public Health Fund on July 1, 1951, shall be disposed of as follows:

(a) All money in the Department of Public Health Fund that was derived from money appropriated by the State from the General Fund for the support of the State Department of Public Health or of any division, bureau, or organization unit thereof, or the expenditure of which is administered through or under the direction of the State Department of Public Health, and transferred to the Department of Public Health Fund prior to July 1, 1951, under the provisions of subdivision (c) of Section 115 of the Health and Safety Code, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to the General Fund, and shall be credited to the appropriation in the latter fund from which such money was originally derived. The unexpended balance of each such General Fund appropriation shall continue to be available for expenditure for the purposes for which such appropriation was made, and shall be subject to all of the provisions of the act making such appropriation with respect thereto.

(b) All money in the Department of Public Health Fund that was derived from money received by the State under the provisions of Chapter 8 of Division 21 of the Health and Safety Code, or under the provisions of Chapter 428 of the Statutes of 1925, as amended, and deposited in the Department of Public Health Fund under the provisions of Section 2 of Chapter 1092 of the Statutes of 1941, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to he General Fund, and shall be available for expenditure therefrom for the same purposes, and subject to the same conditions, limitations, and restrictions, for which it was available for expenditure from the Department of Public Health Fund prior to such transfer.

An amount equal to the unexpended balance of each appropriation made from the Department of Public Health Fund prior to July 1, 1951, that is available by law for the payment of expenses incurred by the State Department of Public Health in enforcing the provisions of Chapter 8 of Division 21 of the Health and Safety Code, is hereby appropriated from the General Fund for expenditure for the same purposes, and subject to the same periods of availability, as each such appropriation originally made from the Department of Public Health Fund.

(c) All money in the Department of Public Health Fund that was derived from grants of money received by the State from the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to the Public Health Federal Fund, and shall be available for expenditure from the latter fund, without regard to fiscal years, for the purposes for which it is made available by the United States.

(d) All money in the Department of Public Health Fund that was derived from grants or donations from sources other than the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to the Special Deposit Fund, and shall be credited to the appropriate account in the latter fund, as provided by Section 121 of the Health and Safety Code. The amount so transferred shall be available, without regard to fiscal years, for expenditure from the Special Deposit Fund for the purposes for which it was made available under the terms and conditions of the grant or donation.

(e) All other money in the Department of Public Health Fund the disposition of which is not otherwise provided by law, shall, on order, of the State Controller, be transferred from the Department of Public Health Fund to the General Fund

SEC. 11. The Board of Control shall provide for the transfer of the appropriation made by Item 232, Section 2 of the Budget Act of 1951 from the Department of Public Health Fund to the General Fund in accordance with Section 28 of the Budget Act of 1951.

SEC. 12. This act shall become operative July 1, 1951.

SEC. 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the State Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

This act provides for the discontinuance of the commingling of General Fund appropriations with federal monies in a single fund for the purposes of facilitating the financial administration of the current expenses appropriated for the operations of the Department of Public Health.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1053—An act to add Section 2419.7 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2419.7", and insert "Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 is added to the Labor Code to read:

Article 5
Construction Sites".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "2419.7", and insert "2450".

Amendment No. 4

On page 1 of the printed bill, after line 17, insert

"2450.1. Any person, or the agent or officer thereof, who violates any provision of this article is guilty of a misdemeanor, punishable by a fine of not more than two hundred dollars ($200), or imprisonment for not more than sixty (60) days, or both.

For the purpose of securing the enforcement of this article the officers and agents of the Division of Housing shall have the authority of peace officers to make arrests, to serve any process or notice throughout the State and such other authority of peace officers as may become necessary in securing the enforcement of this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code, and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, strike out lines 9 to 15, inclusive, and insert

"The department shall establish and maintain out-patient clinics as a part of, or in conjunction with, each such research center. The clinics may be established at such locations as the department may determine to best serve the public needs in the treatment, care, guidance, and rehabilitation of acute or chronic alcoholics. The department may enter into lease, rental or other contractual agreements with any city, county, or city and county, for the occupancy of premises for the clinics, and the rendering or exchange of services in connection with such clinics or for the other purposes of this chapter.

Admission to such out-patient clinics shall be for persons who are deemed by the superintendent to be suitable for treatment, guidance or rehabilitation. Charges

for service in such clinics shall be set forth in the rules and regulations of the department and shall be based upon the average cost per case as determined by the Director of Mental Hygiene."

Amendment No. 2

On page 4 of said bill, after line 10, insert

"The sum of four hundred thousand dollars ($400,000) or so much thereof as is necessary is hereby appropriated out of the General Fund to the Department of Mental Hygiene for the establishment and operation of out-patient clinics under this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3082—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 10, and 15, and to repeal Section 7, and to add Section 7 thereto, relating to the practice and study of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, between lines 31 and 32, insert

"Pre educational requirements do not apply to a licensed chiropractor, or a student matriculated prior to the enactment of this measure."

Amendment No. 2

On page 2, line 48, of said bill, after "toxicology", insert "(not less than 160 hours)".

Amendment No. 3

On page 3, line 5, of said bill, after "and", insert "not less than 160 hours of".

Amendment No. 4

On page 3, line 6, of said bill, after "minor", insert "or ambulant".

Amendment No. 5

On page 3, line 8, of said bill, strike out "83", and insert "87".

Amendment No. 6

On page 3, line 11, of said bill, strike out "repealed."; and strike out line 12, and insert "amended to read:".

Amendment No. 7

On page 3 of said bill, between lines 14 and 15, insert

"(a) The holder of a valid unrevoked license to practice chiropractic in the State of California prior to the enactment of this measure, shall be authorized to practice chiropractic and other forms of therapy as taught in chiropractic schools and colleges; and also to use all mechanical, hygienic, and sanitary measures incident to the care of the body."

Amendment No. 8

On page 3, line 15, of said bill, strike out "(a)", and insert "(b)".

Amendment No. 9

On page 3, line 25, of said bill, after "minor", insert "or ambulant".

Amendment No. 10

On page 3, line 37, of said bill, strike out "(b) Hereafter", and insert "(c) One year after the effective date of this act".

Amendment No. 11

On page 3, line 39, of said bill, strike out "Any", and insert "Excepting that".

Amendment No. 12

On page 3, line 41, of said bill, strike out "hereto, which", and insert "to the effective date of this act, who".

Amendment No. 13

On page 3, line 45, of said bill, after "school," insert "shall".

Amendment No. 14

On page 3, line 46, of said bill, after "subjects", insert "upon enactment of this measure".

Amendment No. 15

On page 3, line 47, of said bill, after "a", insert "chiropractic".

Amendment No. 16

On page 3, line 47, of said bill, after "certificate", insert "immediately".

Amendment No. 17

On page 3, line 49, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 18

On page 3, line 52, of said bill, strike out "and/".

Amendment No. 19

On page 4, line 2, of said bill, strike out "and/"

Amendment No. 20

On page 4, line 2, of said bill, after "methods", strike out the comma, and insert a period.

Amendment No. 21

On page 4, lines 3, 4, 5, 6, and 7, of said bill, strike out "and to sever and penetrate the tissues of human beings in the performance of minor surgery, which term, for the purposes of this act, shall include the severing and penetrating of tissues of human beings with the exception of penetration of the abdominal, thoracic, and cranial cavities."

Amendment No. 22

On page 4 of said bill, between lines 8 and 9, insert

"For the purposes of this act minor or ambulant surgery is that branch of surgery which consists of operative procedure by electrical or other methods, which does not include the opening of the thoracic, abdominal or cranial cavities, or the amputation of limbs or extremities. In the practice of minor surgery which includes pelvic, rectal, and oral surgery, the use of local anaesthesia is permitted, and the use of antiseptic and bacteriocidal agents are permitted."

Amendment No. 23

On page 4, line 16, of said bill, strike out "code", and insert "act".

Amendment No. 24

On page 4, line 21, of said bill, strike out "5", and insert "4".

Amendment No. 25

On page 4, line 46, of said bill, strike out "and advertising".

Amendment No. 26

On page 4, line 48, of said bill, strike out "suspension or revocation of", and insert "suspend or revoke".

Amendment No. 27

On page 5, line 22, of said bill, strike out "6", and insert "5".

Amendment No. 28

On page 5, line 39, of said bill, strike out "hold", and insert "holds".

Amendment No. 29

On page 5, line 41, of said bill, strike out "knowledge", and insert "conviction".

Amendment No. 30

On page 5, line 42, of said bill, strike out "fifty dollars ($50)", and insert "two hundred dollars ($200)".

Amendment No. 31

On page 5, line 43, of said bill, strike out "two hundred dollars ($200)", and insert "six hundred dollars ($600)".

Amendment No. 32

On page 5 of said bill, between lines 45 and 46, insert

"Immediately after enactment of this measure, seventy-five percent (75%) of the fines imposed or forfeitures of bail collected shall be paid upon collection by the proper officer of the court to the Board of Chiropractic Examiners. Such payment to the board shall be made without placing the fine or forfeiture in any special, contingent, or general fund in any county, city, or township The balance of twenty-five percent (25%) of such fines or forfeitures shall be paid to the county in which the fine or forfeiture is levied."

Amendment No. 33

On page 5, line 47, of said bill, after "chiropractic", insert "physician".

Amendment No. 34

On page 5, lines 50 and 51, of said bill, strike out "a chiropractic licensee", and insert "licensed as a chiropractic physician."

Amendment No. 35

On page 6, line 6, of said bill, strike out "7", and insert "6".

Amendment No. 36

On page 6, line 10, of said bill, strike out "8", and insert "7".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1312—An act to amend Section 2505 of the Welfare and Institutions Code, relating to work performed by recipients of general relief.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 15, inclusive, and insert "by the county at no less than the prevailing rate of pay. Re-".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2064—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to the care of chronically ill and infirm aged persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "the care of chronically".

Amendment No. 2

In line 3 of the title of said bill, after "persons", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, line 4, of said bill, strike out "Care of Chronically".

Amendment No. 4

On page 1, line 4, of said bill, after "Infirm", insert "Aged Persons".

Amendment No. 5

On page 1, lines 7 and 8, of said bill, strike out "appropriate medical and nursing", and insert "for the construction of hospital".

Amendment No. 6

On page 1, line 8, of said bill, strike out "the chronically".

Amendment No. 7

On page 1, line 9, of said bill, strike out "whose condition results from their age", and insert "aged persons".

Amendment No. 8

On page 1 of said bill, strike out lines 21 and 22, and insert "hospital facilities for the treatment of ill and infirm aged persons."

Amendment No. 9

On page 2, line 7, of said bill, strike out ", and for their operation and management,".

Amendment No. 10

On page 2 of said bill, after line 9, insert

"(c) The county gives assurance that the facility when completed will be operated and maintained in compliance with conditions and standards established by the department."

Amendment No. 11

On page 2, line 29, of said bill, after "facilities.", insert "The department shall consult with the Advisory Hospital Council in the administration of this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2204—An act to amend Section 2160 of the Welfare and Institutions Code, relating to aid to the aged in respect to the eligibility of aliens therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "State", and insert "United States".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3222—An act to repeal Sections 125, 126, and 127 and to amend Section 124 of the Welfare and Institutions Code, relating to the Social Welfare Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to repeal Section 124 of, and to add Sections 124.1, 124.2, 124.3, and 124.4 to, the Welfare and Institutions Code, creating the Social Welfare Federal Fund and making an appropriation, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive; and on page 2, strike out lines 3 to 16, inclusive, and insert

"SECTION 1. Section 124 of the Welfare and Institutions Code is hereby repealed.

SEC. 2. Section 124.1 is added to the Welfare and Institutions Code, to read:

124.1. The Social Welfare Federal Fund in the State Treasury is hereby created. All grants of money received by the State from the United States, the expenditure of which is administered through or under the direction of the Department of Social Welfare, shall, on order of the State Controller, be deposited in the Social Welfare Federal Fund.

SEC. 3. Section 124.2 is added to the Welfare and Institutions Code, to read:

124.2. All money in the Social Welfare Federal Fund is hereby appropriated to the Department of Social Welfare, without regard to fiscal years, for expenditure for the purposes for which the money deposited therein is made available by the United States for expenditure by the State.

SEC. 4. Section 124.3 is added to the Welfare and Institutions Code, to read:

124.3. The Department of Social Welfare and the State Controller shall keep a record of the classes and sources of income deposited in, or transferred to, the Social Welfare Federal Fund, and of the disbursements therefrom.

SEC. 5. Section 124.4 is added to the Welfare and Institutions Code, to read:

124.4. The Director of Finance and the State Controller may approve any general plan whereby:

(a) Any expenditures which are a proper charge against the money made available by the United States and deposited in the Social Welfare Federal Fund may be paid, in the first instance, from the General Fund, and

(b) The General Fund shall be reimbursed for expenditures made therefrom that are a proper charge against the Social Welfare Federal Fund.

Such a general plan may provide for advance transfers from the Social Welfare Federal Fund to the General Fund, based on estimates of expenditures to be made from the General Fund which will be subject to reimbursement from the Social Welfare Federal Fund pursuant to such plan, and may provide for reimbursements to the Social Welfare Federal Fund.

Requests for reimbursement pursuant to such a plan shall be furnished to the State Controller in writing by the Department of Social Welfare, accompanied by such financial statements as the plan may provide; and on order of the State Controller, the required amount shall be transferred in accordance therewith.

SEC. 6. All money in the Social Welfare Fund on July 1, 1951, shall be disposed of as follows:

(a) All money in the Social Welfare Fund that was derived from money appropriated by the State from the General Fund for the support of the Department of Social Welfare and transferred to the Social Welfare Fund prior to July 1, 1951, under the provisions of subdivision (b) of Section 124 of the Welfare and Institutions Code, shall, on order of the State Controller, be transferred from the Social Welfare Fund to the General Fund, and shall be credited to the appropriation in the latter fund from which such money was originally derived. The unexpended balance of each such General Fund appropriation shall continue to be available for expenditure for the purposes for which such appropriation was made, and shall be subject to all of the provisions of the act making such appropriation, with respect thereto.

(b) All money in the Social Welfare Fund that was derived from grants of money received by the State from the United States, the expenditure of which is administered through or under the direction of the Department of Social Welfare, shall, on order of the State Controller, be transferred from the Social Welfare Fund to the Social Welfare Federal Fund, and shall be available for expenditure from the latter fund, without regard to fiscal years for the purposes for which it is made available by the United States.

(c) All other money in the Social Welfare Fund, the disposition of which is not otherwise provided by law, shall, on order of the State Controller, be transferred from the Social Welfare Fund to the General Fund.

SEC. 7. This act shall become operative on July 1, 1951.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the State Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

This act provides for the discontinuance of the commingling of General Fund appropriations with federal monies in a single fund for the purpose of facilitating the financial administration of the current expenses appropriated for the operations of the Department of Social Welfare."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills No. 2026 and 2664 re-referred to the Committee on Judiciary.

Assembly Bill No. 1313 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 991, 992, and 1676, re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 75, 3155, 69, 70, and 68, re-referred to Committee on Military Affairs.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 898

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 898, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 898

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 14, 1951, after "Code", insert "and Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Financial Code,".

Amendment No. 2

Strike out line 3 of the title of said bill, and insert "tion 1371, to, and to amend and renumber Section 1371 of the Banking Code, and to add a new Section 1371 to, and to amend and renumber Section 1371 of the Financial Code, relating to".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 9 of said bill, after line 47, insert

"SEC. 12. Section 1356 of the Financial Code is amended to read:

1356. In the bonds of any other political subdivision, public corporation, or district of the State of California (herein referred to generally as public corporations) having the power, without limit as to rate or amount, to levy taxes to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such public corporation, *and in the bonds of any special district established by and within any municipal utility district*, provided:

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 2 percent of the bank's savings deposits, whichever is greater, may not be invested in the bonds of any one such public corporation *or special district*;

(b) The net direct debt of such public corporation *or of such special district* together with its net overlapping debt does not exceed 20 percent of the assessed valuation of the taxable property within its boundaries according to the last official equalized county assessment roll.

SEC. 13 Section 1357 of said code is amended to read.

1357. An amount not exceeding in all 20 percent of the bank's savings deposits in (a) the bonds or other evidences of indebtedness of, *or which are unconditionally guaranteed by, the Dominion of Canada, the Territory of Hawaii, or* any state of the United States other than California, for the payment of both principal and interest of which *in United States' dollars* the faith and credit of such *dominion, territory, or* state are pledged; (b) in limited obligations of any state of the United States, other than California, payable only from special taxes which are pledged to the payment of principal and interest of such limited obligations; and (c) in the bonds or other evidences of indebtedness of any city, county, political subdivision, public corporation, or district (herein referred to generally as public corporations) of any state of the United States other than California, having the power without limit as to rate or amount to levy taxes to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such public corporation, provided.

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in the bonds or other obligations of any one state other than California, or in the bonds of any one public corporation located in a state other than California;

(b) In the case of bonds constituting general obligations of any such state, such state has not within 10 years prior to such investment defaulted for a period of more than 90 days in the payment of any part of either principal or interest of any of its debts;

(c) In the case of such limited obligations of any such state, (1) that such state has not within 10 years prior to the date of such investment defaulted for a period of more than 90 days in the payment of either principal or interest of any of its debts; (2) the special taxes pledged for the payment of such limited obligations *shall have been collected* for five fiscal years next preceding any investment *and during said five fiscal years* shall have averaged at least one and one-half times the [highest] debt service requirements, including those for principal, interest, and sinking fund, on all such special obligations existing at [any] *the* time [during said five fiscal years] ; and (3) such special taxes for each of said five fiscal years shall have equalled at least the amount of all such debt service requirements on such special obligations; and

(d) In the case of bonds or other evidences of indebtedness of any such public corporation of any state other than California:

(1) Such public corporation has had a corporate existence or been otherwise established and functioning for at least 10 years prior to the time of such investment;

(2) Such public corporation has a population of at least 50,000 inhabitants according to the last federal or state census;

(3) Such public corporation for a period of at least 10 years prior to such investment has not defaulted in the payment of any part of the principal or interest of any of its debts for a period of more than 90 days; and

(4) The net direct debt together with the net overlapping debt of such public corporation does not exceed 10 percent of the assessed valuation of the property subject to taxation by such public corporation according to the last official equalized assessment roll or list upon the basis of which taxes for debt service are based.

SEC. 14. Section 1359 of said code is amended to read:

1359. An amount not exceeding in all 5 percent of the bank's savings deposits in bonds of any irrigation district, water storage district, water conservation district, county water district, reclamation district, drainage district, and any district the primary function of which is the irrigation, reclamation or drainage of land within its boundaries, located in California, *other than bonds referred to in Section 1355.1*, provided:

(a) Such bonds qualify under Section 1356; or

[(a)] *(b)* Such bonds have been certified as legal securities for savings banks pursuant to Chapter 1 of Division 10 of the Water Code and such certification remains unrevoked; *and*

[(b)] *(c)* The total outstanding bonded indebtedness of the district including bonds authorized but not issued, *but excluding bonds payable solely from revenues and not directly or indirectly from assessments*, does not exceed 50 percent of the aggregate of the assessed value of the lands, exclusive of improvements, subject to assessment by the district, and the value of the property owned by the district or to be acquired or constructed with the proceeds of the bonds under consideration.

[(c) The district is required and obligated to establish and maintain a reserve fund consisting of cash or United States bonds in an amount not less than the amount of the annual debt service requirements of its outstanding bonded indebtedness in addition to its current debt service requirements and which fund is not subject to any other lien or charge; and]

(d) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in the bonds of any one such district.

SEC. 15. Section 1362 of said code is amended to read:

1362. An amount not exceeding in all 10 percent of the bank's savings deposits in revenue securities of any state of the United States and of any city, county, city and county, political subdivision, public corporation, or district (herein referred to generally as public corporations) of any such state and of any department, board, agency, or authority of any such state or of any such public corporation, provided:

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in revenue securities payable from the income from any one revenue producing property or project or issued by any one public corporation whether issued directly or through a department, board, agency, or authority thereof:

(b) Such revenue securities [are] *constitute obligations* payable out of the revenues from a revenue producing property owned, controlled, or operated by such state, public corporation, or by a department, board, agency, or authority thereof and [are secured by a direct and exclusive charge and lien upon such revenues] *are secured by such revenues:*

(c) The net income from such property available for the payment of such securities for the five fiscal years next preceding any such investment shall have averaged at least one and one-tenth times all debt service requirements for principal, interest, and sinking fund of all revenue securities payable only out of the revenues from such property during each of such fiscal years, and for each of such five fiscal years shall have equaled at least all debt service requirements for principal, interest, and sinking fund of such securities, and for the last fiscal year shall have amounted to at least the maximum annual debt service requirement for any fiscal year thereafter on all such securities which were outstanding during such last fiscal year and which will be outstanding in any fiscal year thereafter;

(d) The gross income from the property, the net income from which is pledged for the payment of such securities, in the last fiscal year prior to such investment was not less than [two] *one* million [five hundred thousand] dollars [($2,500,000)] *($1,000,000)* if located in California, and was not less than five million dollars ($5,000,000) if located elsewhere; [and]

(e) The issuer of the securities is obligated to maintain rates at least sufficient to meet debt service requirements and such obligation is legally enforceable; and

[(e)] *(f)* The public corporation which issues the securities or the public corporation, any department, board, agency, or authority of which issues the securities, if existing elsewhere than in California, has not within 10 years prior to such investment defaulted for a period of more than 90 days in the payment of principal or interest on any of its debts.

SEC. 16. Section 1363 is amended to read as follows:

1363. [An amount not exceeding in all 5 percent of the bank's savings deposits in bonds issued by housing authorities established pursuant to the Housing Authorities Law of the State of California, provided:

(a) An amount in excess of 25 percent of the savings bank's paid-up capital and surplus or 1 percent of the bank's savings deposits, whichever is greater, may not be invested in the bonds of any one housing authority;

(b) Such bonds are additionally secured by a pledge of annual contributions to be paid by an agency of the United States over a fixed period of years and for the payment of which contributions the faith and credit of the United States is pledged conditioned only upon a compliance with the conditions of the contract for such contributions;

(c) Such contributions are sufficient in amount to assure the payment by such authority of both principal and interest on the bonds as they become due;

(d) The housing authority covenants that it will not transfer title to the property upon which the proceeds of the bonds are to be expended in any manner which would constitute grounds for the termination of said contributions; and

(e) Such bonds are secured by a covenant of the authority to observe all agreements and conditions set forth in the contributions contract and giving the bondholders remedies by which they may enforce observant of the same.]

An amount not exceeding in all 5 percent of the bank's savings deposits in bonds of any local public housing agency (as defined in Section 110 (h) of the Housing Act of 1949) as are secured either, (1) by an agreement between the public housing agency and the Public Housing Administration in which the public housing agency agrees to borrow from the Public Housing Administration, and the Public Housing Administration agrees to lend to the public housing agency, prior to the maturity of such obligations (which obligations shall have a maturity of not more than 18 months), moneys in an amount which (together with any other moneys irrevocably committed to the payment of interest on such obligations) will suffice to pay the principal of such obligations with interest to maturity thereon, which moneys under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such obligations at their maturity, or (2) by a pledge of annual contributions under an annual contribution contract between such public housing agency and the Public Housing Administration which is authorized by subsection (G) of Section 22 of the United States Housing Act of 1937, as amended, and if the maximum sum and the maximum period specified in such contract pursuant to said subsection 22 (G) shall not be less than the annual amount and the period for payment which are requisite to provide for the payment when due of all installments of principal and interest on such obligations.

SEC. 17. Section 1364 of said code is amended to read:

1364. An amount not exceeding in all 10 percent of the bank's savings deposits in evidences of indebtedness of companies incorporated in the United States and, *directly or indirectly*, engaged in manufacturing, extraction, merchandising or commercial financing, provided:

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in such evidences of indebtedness of any one company,

(b) Any unsecured evidences of indebtedness must be issued by a company whose property is free of mortgage and shall carry a covenant by the obligor that they will be secured equally with any mortgage bond which may be later issued;

(c) The company is of such size as to attract at least state-wide interest in its publicly held securities and its gross income shall have averaged not less than ten million dollars ($10,000,000) and its net income shall have averaged not less than one million dollars ($1,000,000) for the five fiscal years preceding the investment and its gross income was not less than ten million dollars ($10,000,000) and its net income not less than one million dollars ($1,000,000) for at least three of said five fiscal years;

(d) Consolidated current assets are not less than two and one-half times consolidated current liabilities, as shown by the latest published balance sheet; provided, that in any year for which combined federal income and excess profits taxes exceed 40 percent, consolidated current assets shall be not less than three times consolidated current liabilities after deducting from current assets cash and United States Government obligations in an amount not exceeding the amount of federal income and excess profits taxes included in current liabilities and deducting from current liabilities such federal income and excess profits taxes to an amount not exceeding the amount deducted from current assets;

(e) The total consolidated debt of the company including current liabilities and "minority interest" (i.e., any outstanding interest in a subsidiary having a prior claim on the earnings of such subsidiary), as shown on the latest published balance sheet, does not exceed 33⅓ percent of its gross assets less valuation reserves; and

(f) The consolidated annual net income for the five fiscal years next preceding the investment, before deduction of state and federal taxes imposed on or measured by income or profits but after deducting all charges (including reserves, regularly recurring charges for amortization of discount, and expense allocable to funded debt); (1) shall have averaged not less than six times the annual consolidated interest charges existing at the time the investment is made; (2) in at least three of said five fiscal years shall have been at least four times the annual consolidated interest charges for the same year; and (3) for the fiscal year next preceding the investment shall have been not less than six times the consolidated interest charges for such year and not less than six times the annual consolidated charges on the funded debt outstanding at the time of the investment.

SEC. 18. Section 1366 of said code is amended to read:

1366. An amount not exceeding in all 10 percent of the bank's savings deposits in the bonds *and debentures* of gas and electric companies meeting the requirements of subparagraph (b), in the bonds and debentures of telephone companies meeting the requirements of subparagraph (c), and in the bonds *and debentures* of water companies meeting the requirements of subparagraph (d), provided:

(a) Of said 10 percent of the bank's savings deposits not more than three-fourths thereof may be invested in bonds *and debentures* of gas and electric companies, not more than one-half thereof in bonds and debentures of telephone companies, and not more than one-quarter thereof in bonds *and debentures* of water companies; and provided, that an amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or 1 percent of its savings deposits, whichever is greater, may not be invested in any of such bonds or debentures issued by *any* one such public utility company;

(b) Bonds *or debentures* of *a* gas and electric [companies] *company* must be of an issue which originally amounted to not less than one million dollars ($1,000,000) and, *if bonds*, be secured by a mortgage on [currently usable] *substantially all of its physical* property, *and, if debentures, must be issued by a company substantially all of whose physical property is free of mortgage and must carry a covenant to be secured equally with any mortgage indebtedness subsequently issued*, and *both bonds and debentures must* be issued by a public utility corporation, which

(1) Derives [at least 80 percent] *more than 50 percent* of its gross operating revenue from the business of supplying electricity, artificial gas, or natural gas or all or any of them, *and at least 80 percent of its gross operating revenue from all or any of the public utility businesses enumerated in this section*;

(2) Shall have had a gross operating revenue of not less than seven million five hundred thousand dollars ($7,500,000) for its most recent fiscal year;

(3) Has a funded debt not exceeding [50 percent] *two-thirds* of the value of its [fixed assets] *physical property* as shown by the books of the corporation *or by a statement of a certified public accountant issued within one year, which statement may be based upon the books of the corporation, less the amount of any reserves for depreciation, retirement or amortization of such physical property (Physical property of a corporation shall include the physical property of a subsidiary corporation if the corporation owns not less than 90 percent of the outstanding voting shares of the subsidiary corporation)*; and

(4) Shall have had earnings *including earnings of subsidiaries mentioned in paragraph (3)*, available for interest payments, *before deduction of state and federal taxes imposed on or measured by income or profits*, during four of the five most recent fiscal years and during the most recent fiscal year equal to at least twice the existing annual interest charges on the corporation's total *funded* debt [not including current liabilities] *during such respective fiscal years*.

(c) Bonds or debentures of telephone companies must be of an issue originally amounting to at least one million dollars ($1,000,000) and, if bonds, be secured by a mortgage on [the] *substantially all of the physical* property of the company, and if debentures must be issued by a company *substantially all of* whose *physical* property is free of mortgage and must carry a covenant to be secured equally with any mortgage indebtedness subsequently issued, and both bonds and debentures must be issued by a company:

(1) Which during its last fiscal year had gross revenues of at least seven million five hundred thousand dollars ($7,500,000), [at least 80 percent] *more than 50 percent* of which was derived from owned properties used in furnishing telephone and other communication services *and at least 80 percent of its gross revenues from all or any of the public utility businesses enumerated in this section*;

(2) Whose funded debt does not exceed [50 percent] *two-thirds* of the value of its [fixed assets] *physical property* as shown by the books of the corporation *or by a statement of a certified public accountant issued within one year, which statement may*

be based upon the books of the corporation, less the amount of any reserves shown on said statement for depreciation, retirement or amortization of such physical property. (Physical property of a corporation shall include the physical property of a subsidiary corporation if the corporation owns not less than 90 percent of the outstanding voting shares of the subsidiary corporation) ; and

(3) Which for four of the five most recent fiscal years and for the last fiscal year had earnings *including earnings of subsidiaries mentioned in paragraph (2)* available for the payment of interest charges, *before deduction of state and federal taxes imposed on or measured by income or profits*, at least equal to twice the interest charges on the company's total *funded* debt [other than current indebtedness] *during such respective fiscal years*.

(d) Water company bonds *or debentures* must be of an issue originally amounting to at least one million dollars ($1,000,000) *and if bonds*, be secured by a first mortgage on the company's property, *and if debentures, must be issued by a company whose property is free of mortgage and must carry a covenant to be secured equally with any mortgage indebtedness subsequently issued*, and *both bonds and debentures must* be issued by a company:

(1) Which is the supplier of substantially all water for domestic use in a community or communities having a population of not less than 25,000;

(2) Whose funded debt does not exceed [60 percent] *two-thirds* of the value of its [fixed assets as established for rate making purposes by the public regulatory body having jurisdiction thereof] *physical property as shown by the published statement of the company for its next preceding fiscal period, less the amount of any reserves shown for depreciation, retirement or amortization of such physical property. (Physical property of a corporation shall include the physical property of a subsidiary corporation if the corporation owns not less than 90 percent of the outstanding voting shares of the subsidiary corporation)* ; and

(3) Which for four out of the five most recent fiscal years and for the most recent fiscal year shall have had earnings *including those of subsidiaries mentioned in paragraph (2)* available for the payment of interest charges, before deduction of state and federal taxes imposed on or measured by income or profits, of at least one and one-half times the interest charges on the company's total [indebtedness] *funded debt during such respective fiscal years*.

The term "funded debt" as used in this chapter means all interest bearing indebtedness of a corporation not maturing within one year of the date it was incurred.

SEC. 19. Section 1367 of said code is amended to read:

1367. An amount not exceeding in all 25 percent of the paid-up capital and surplus of the savings bank or not exceeding 1 percent of the bank's savings deposits, whichever is lesser, may be invested in securities, other than corporation shares, [not herein otherwise expressly authorized,] *whether or not such securities are herein expressly authorized and whether or not they qualify hereunder*, in which in the informed opinion of the bank it is prudent to invest savings funds.

SEC. 20 Section 1371 is added to said code, to read:

1371. The superintendent is authorized upon the written application of any person made upon such form and containing such information as he may prescribe and when in his opinion the purposes of this chapter will be served thereby, to issue his certificate certifying that in his opinion and upon the information furnished him, specifying the same, any particular security of a class in this chapter referred to constitutes a security in which savings banks are permitted to invest pursuant to the provisions of this chapter. The superintendent may request any public official in whose office information relative to the assessed valuation of taxable property of any political subdivision, public corporation, or district is kept, or in whose office information relative to the direct debt or the overlapping debt of any political subdivision, public corporation or district, is kept, or in whose office any other information pertinent to a determination of whether or not any bonds issued by any political subdivision, public corporation, or district are qualified as investments for savings banks under this chapter is kept, to furnish him such information, and upon such request being made it shall be the duty of such public official to furnish to the superintendent such information

SEC. 21. Section 1371 of said code is renumbered to read Section 1372 and is amended to read as follows:

1372. The provisions of this chapter govern the investment of funds by savings banks but wherever by any law of this State it is now provided that the moneys of any pension fund, retirement plan, trust fund, or the moneys of any special fund the investment of which is governed by law, or the funds of any political subdivision or public corporation may or shall be invested in securities which are a legal investment for savings banks, then such law shall be deemed to authorize or require, as the case may be, that such moneys be invested in securities in which savings banks were authorized to invest their funds by the provisions of the Bank Act as it read prior to January 1, 1949, or by any other law of this State or in which savings banks are authorized to invest their funds by the provisions of Sections 1350 to 1366, inclusive,

of this chapter ; *provided, that the provisions of said sections limiting the amount which a savings bank may invest in securities to a specified percent of its paid-up capital and surplus, or savings deposits, shall not apply to investments authorized by the terms of this section .*

SEC. 22. Section 3396 of said code is amended to read:

3396. No person shall represent by advertisement, circular, or otherwise, or in any manner mislead anyone to believe, that any securities are legal investments for savings banks in this State or conform to the requirements of law relating to such investments, unless such securities are in fact at such time legal investments for such banks or do in fact so conform to such requirements *or, unless such person, in making such representation, has acted in good faith and in reliance upon a certificate issued by the superintendent pursuant to Section 1371 issued within one year, upon published reports of the public or private corporations issuing such securities, upon information furnished by a public official in his official capacity or upon information furnished by any established statistical agency approved for this purpose by the superintendent.* Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

SEC. 23. Sections 12 to 22, inclusive, of this act become operative only if Division 1 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, 1371, and 3396 of the Banking Code as amended by this act, and Section 1371 added to the Banking Code by this act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections 12.1, 12.2, 13.1, 16, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Waters, and Mr Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Waters, and Mr. Speaker—61

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1095 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No 1095 be withdrawn from the Committee on Revenue and Taxation, and be re-referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 598 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 598 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Agriculture.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 242—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 15, 1951, strike out "the", and insert "Chapter 8 of Division 4 of the".

Amendment No. 2

On page 1, line 1, of said bill, strike out "the", and insert "Chapter 8 of Division 4 of the".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1822—An act to amend Section 1183.5 of the Civil Code, relating to the acknowledgment of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1824—An act to amend Sections 2924c and 2924b of the Civil Code, relating to mortgages and deeds of trust.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister,

McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 125

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 125, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 125

Assembly Bill No. 125—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1950 for legislative printing, binding, mailing, etc., to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 130

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 130, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 130

Assembly Bill No. 130—An act making an appropriation in augmentation of the appropriation in Item 10 of the Budget Act of 1950, for expenses of Members of the Assembly, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 129

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 129, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 129

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 129:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 21, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 129, "An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This appropriation is required to meet a deficiency in the Emergency Fund caused largely by price increases.

I therefore recommend consideration of Assembly Bill No. 129 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 129—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1953 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Moss asked for, and was granted, unanimous consent that Assembly Bill No. 1953 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1887—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Hagen—1.

Notice of Motion to Reconsider Assembly Bill No. 1887

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1887 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 701

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 701, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 701

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "10", and insert "9".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 327—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 329—An act to amend Section 20.1 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 331—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 332—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 333—An act to amend Sections 6 and 13 of the Escrow Act, and Sections 17207 and 17407 of the Financial Code, relating to penalty for failure to file reports required by law, and filing fees for escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.45 a m , Mr Silliman asked for, and was granted, unanimous consent that Messrs McGee and Kirkwood be excused, for the balance of the legislative day, because of legislative business elsewhere

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 323

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 323, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 323

Assembly Bill No. 323—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—65
NOES—Lyon—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 324

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 324, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 324

Assembly Bill No. 324—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen,

Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 325

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 325, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 325

Assembly Bill No. 325—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 326

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 326, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 326

Assembly Bill No. 326—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 328

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 328, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 328

Assembly Bill No. 328—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 330

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 330, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 330

Assembly Bill No. 330—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 334

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 334, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 334

Assembly Bill No. 334—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 336

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 336, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 336

Assembly Bill No. 336—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 337

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 337, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 337

Assembly Bill No. 337—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 338

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 338, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 338

Assembly Bill No. 338—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 339

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 339, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 339

Assembly Bill No. 339—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1920

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1920, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1920

Assembly Bill No. 1920—An act to amend the Personal Property Brokers Act, relating to the taking and using of chattel mortgages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 34—Relative to the veterans' property tax exemption in respect to persons now serving in the Armed Forces.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 83

By Mr. Kilpatrick:

House Resolution No. 83

Relative to funds of the Assembly Interim Committee on Crime and Corrections.

Resolved by the Assembly of the State of California, That the money made available by House Resolution No. 42, 1951 Regular Session, to the Assembly Interim Committee on Crime and Corrections (created by House Resolution No. 243, 1949 Regular Session and continued by House Resolution No. 28, 1951 Regular Session), may be expended for the purpose of preparing the committee's preliminary reports to the Legislature

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, and Waters—63.

NOES—None

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 36—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal primary election held therein on the thirteenth day of March, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36

Senate Concurrent Resolution No. 36—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal primary election held therein on the thirteenth day of March, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

RECOMMENDATION FOR AMENDMENT, TO STANDING RULES
REPORT OF STANDING COMMITTEE

The following report of standing committee was received, and read:

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following amendment to the Standing Rules of the Assembly:

Amendment No. 1

In Assembly Standing Rule No. 16, as printed in the Assembly Journal of January 10, 1951, on page 187, in paragraph 2 of said rule, line 3, strike out "Monday", and insert "Tuesday".

Request for Unanimous Consent That Amendment to Standing Rule Be Adopted

Mr. Dickey asked for unanimous consent that the above amendment to Standing Rule No. 16 be adopted, at this time.

Mr. Beck withheld unanimous consent.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 95

MR. SPEAKER: Your Committee on Rules respectfully submits the following resolution:

Resolved, That the compensation of the Sergeant-at-Arms of the Assembly, Wilkie Ogg, be $18 per day, commencing Wednesday, March 14, 1951, and that the compensation shall be on a seven day week basis, and the Controller is hereby directed to draw his warrant in favor of the Sergeant-at-Arms, Wilkie Ogg, in the said amount, and the State Treasurer is hereby directed to pay the same.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 95, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3145 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 3145 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENT

Speaker Sam L. Collins announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus upon recess, today, at the Hotel Sacramento.

REPORTS OF STANDING COMMITTEES READ AND ADOPTED BY UNANIMOUS CONSENT

By unanimous consent, the following reports of standing committees were read, and appropriate action taken:

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2079

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 25

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 6	Assembly Bill No. 366
Assembly Bill No. 72	Assembly Bill No. 2522
Assembly Bill No. 365	Assembly Bill No. 2620

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 176	Assembly Bill No. 1702
Assembly Bill No. 254	Assembly Bill No. 1905
Assembly Bill No. 341	Assembly Bill No. 2047
Assembly Bill No. 352	Assembly Bill No. 2319
Assembly Bill No. 353	Assembly Bill No. 2320
Assembly Bill No. 457	Assembly Bill No. 2321
Assembly Bill No. 605	Assembly Bill No. 2450
Assembly Bill No. 1089	Assembly Bill No. 2673
Assembly Bill No. 1090	Assembly Bill No. 2674
Assembly Bill No. 1200	Assembly Bill No. 2677
Assembly Bill No. 1201	Assembly Bill No. 2679
Assembly Bill No. 1202	Assembly Bill No. 2718
Assembly Bill No. 1276	Assembly Bill No. 2752
Assembly Bill No. 1277	Assembly Bill No. 2809
Assembly Bill No. 1638	Assembly Bill No. 2938
Assembly Bill No. 1688	Assembly Bill No. 3021

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR SPEAKER Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 11
Senate Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No 9

Has had the same under consideration, and reports the same back with the recommendation · Be adopted

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 421
Assembly Bill No. 1094
Assembly Bill No. 3370

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 420
Assembly Bill No. 609

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Assembly Bill No. 349
Assembly Bill No. 419
Assembly Bill No. 1031

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 795
Assembly Bill No. 1227
Assembly Bill No 1639
Assembly Bill No. 1640
Assembly Bill No 1890
Assembly Bill No. 1694
Assembly Bill No. 2005
Assembly Bill No. 2641

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 743

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 1

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1004
Assembly Bill No. 3240

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2920

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 631

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 835
Assembly Bill No. 2061

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1153
Assembly Bill No. 1155
Assembly Bill No. 2720

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1222
Assembly Bill No. 2135
Assembly Bill No. 2472
Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 797
Assembly Bill No. 1722

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No. 2808

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means

SILLIMAN, Chairman

Above reported bill ordered to second reading

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 33

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 796

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Judiciary.

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Judiciary.

RECESS

At 11.34 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 48
Senate Bill No. 97
Senate Bill No. 141
Senate Bill No. 142
Senate Bill No. 233
Senate Bill No. 381
Senate Bill No. 560
Senate Bill No. 515
Senate Bill No. 712
Senate Bill No. 789
Senate Bill No. 939
Senate Bill No. 1432

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 48—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Referred to Committee on Fish and Game.

Senate Bill No. 97—An act to add Sections 1276a, 1276b, 1276c, and 1278a to, and to amend Sections 1276 and 1278 of the Code of Civil Procedure, relating to the procedure for change of name.

Referred to Committee on Judiciary.

Senate Bill No. 141—An act to add Section 3405 to the Penal Code, relating to temporary action taken by a member of the Board of Trustees of the California Institution for Women.

Referred to Committee on Judiciary.

Senate Bill No. 142—An act to amend Sections 1213, 1216 and 3400 of, and to add Section 1213.5 to, the Penal Code, relating to persons convicted of crime.

Referred to Committee on Judiciary.

Senate Bill No. 233—An act to amend Section 13551 and to repeal Section 13552 of the Government Code, relating to prices to be charged for state printing.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 381—An act to add Section 14074.5 to the Health and Safety Code, relating to contracts for exchange of services between contiguous fire protection districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 515—An act to add Section 4766 to the Health and Safety Code, relating to the authority of a county sanitation district to adopt ordinances.

Referred to Committee on Municipal and County Government.

Senate Bill No. 712—An act to amend Section 653f of the Penal Code, relating to the soliciting of the commission of a crime and the evidence upon which conviction may be had.

Referred to Committee on Judiciary.

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county control committees.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 939—An act to amend Section 692.5 of the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1432—An act to amend Section 225m of the Civil Code, relating to county adoption agencies.

Referred to Committee on Judiciary.

Senate Bill No. 560—An act to repeal Section 12006 of, and to add Section 12351.5 to, the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kilpatrick, Morris, Munnell, Burke, Hahn, and Burkhalter:

House Resolution No. 96

Relating to memorializing the Federal Government to deport criminals who are aliens or naturalized by fraud

WHEREAS, Organized crime in the United States is increasing at an alarming rate; and

WHEREAS, The syndication of crime is on an interstate basis, making it difficult for the several states to uproot the out-of-state sources or leaders, with the result that state convictions for crime bring only a replacement from a national syndicate; and

WHEREAS, The leaders of national crime syndicates are often free from personal participation in the elements of a punishable crime; and

WHEREAS, Experience has shown that many of these leaders and underlings are aliens or have obtained their citizenship by fraud; and

WHEREAS, Such persons are abusing the privileges of entry or naturalization, and are undesirable persons to have within the United States; and

WHEREAS, The Federal Government is the proper sovereign power to rid ourselves of such undesirables through the immigration and naturalization powers of the Federal Government; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States, the President of the United States, the Department of Justice and the Commissioner of Immigration and Naturalization be memorialized to take whatever action is necessary under Title 8, §§ 155 and 738 United States Code, and related sections, or enact appropriate legislation, to effect the deportation of proven members of a crime syndicate or criminal organization, or who have been convicted of a felony, who are either aliens or have obtained naturalization by fraud; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Attorney General of the United States and to the Commissioner of Immigration and Naturalization.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Hahn, Morris, Thomas, Porter, Grant, McGee, Klocksiem, Hawkins, McMillan, Mrs. Niehouse, Messrs. Munnell, Kilpatrick Rosenthal, Dills, Chapel, Stanley, Beck, Burke, Hollibaugh, and Elliott:

House Resolution No. 97

Relating to a Governor's Mansion in Southern California

WHEREAS, A large part of the population of the State, many vital industries, and a substantial number of state offices are located in Southern California; and

WHEREAS, The business of the State necessitates frequent trips to Southern California by the Governor of our State; and

WHEREAS, There exists a need for a Governor's Mansion in Southern California for the accommodation of the Governor on his frequent trips; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Public Works Board is requested to investigate the feasibility of constructing a Governor's Mansion in Southern California; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Public Works Board.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Gaffney, George D. Collins, McCarthy, Maloney, Brady, Berry, Connolly, and Meyers:

House Resolution No. 98

Relative to congratulating Assemblyman Conrad on his recent marriage

WHEREAS, Charles James Conrad has married Grace Irene Odell on February 10, 1951, at the First Congregational Church of Los Angeles; and

WHEREAS, The bride was born in Dayton, Ohio, the daughter of the late Arthur W. and Lillian (Kirchner) Odell. In 1930 she came to Hollywood where she became active in the Hollywood Young Republicans for which she was Vice Chairman in Charge of Social Activities, and there met the future benedict; and

WHEREAS, The groom was born in Philadelphia, Pennsylvania, the son of the late Charles J. and Anna (Beath) Conrad. He came to Hollywood in 1935 and there met his future bride during his first campaign for the State Legislature in 1946; and

WHEREAS, Charley Conrad has been a good legislator, and by his punctual attendance and diligent application to the duties imposed upon him in service of the people of the State and his constituents of the Fifty-seventh Assembly District he has earned the friendship of his colleagues and merited the reward of a life long happiness with his charming bride; and

WHEREAS, The Speaker, Speaker pro Tempore, attaches and Members of the Assembly wish Charles J. and Mrs. Conrad every happiness; now, therefore, be it

Resolved by the Assembly of the State of California, That best wishes are hereby extended to Mrs. Conrad, and that congratulations are hereby extended to Assemblyman Conrad; and, be it further

Resolved, That the Chief Clerk of the Assembly transmit forthwith a suitable engrossed copy of this resolution to Assemblyman and Mrs. Conrad

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 29
Assembly Concurrent Resolution No. 30
Assembly Joint Resolution No. 10
Assembly Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 141

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 148

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 148—An act to add Section 429.5 to the Fish and Game Code, relating to fishing by persons in the Armed Forces of the United States.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 365

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 365, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 365

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "45", and insert "90".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 366

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 366, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 366

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "45", and insert "90".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 19

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 19, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 19

Assembly Joint Resolution No. 19—Relative to the continued propagation of the natural resources of the State with respect to dams constructed by the Bureau of Reclamation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 243

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 243, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 243

Assembly Bill No. 243—An act to amend Section 27285 of the Government Code, relating to the recording of documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 244

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 244, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 244

Assembly Bill No. 244—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2620

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2620, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2620

Assembly Bill No. 2620—An act to amend Section 27289 of the Government Code, relating to the recording of documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 24—Relative to assistance in continuing availability of trained manpower in agricultural aviation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.
NOES—None.

Resolution ordered transmitted to the Senate.

MEMBER EXCUSED

At 1.55 p.m., Mr. Evans asked for, and was granted, unanimous consent that Mr. Dolwig be excused, for the balance of the legislative day for the purpose of attending to legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 143—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 659—An act to amend Section 27 of the Probate Code, relating to those who may take by will.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1823—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1825—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1827—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2182—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—Lowrey.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 367

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 367, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 367

Assembly Bill No. 367—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1886—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Porter:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

CARLEY V. PORTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Porter:

An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3388: By Mr. Porter—An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grant:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education

Respectfully submitted.

W. S. GRANT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grant:

An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3389: By Mr. Grant (By request of Messrs. Babbage, Berry, Burkhalter, Chapel, Cloyed, Connolly, Doyle, Dunn, Elliott, Fleury, Geddes, Hahn, Hansen, Hawkins, Kelly, Kilpatrick, Lipscomb, Maloney, McMillan, Morris, Munnell, Mrs. Niehouse, Messrs. Porter, and Thomas—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2791 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No 2791 be withdrawn from the Committee on Civil Service and State Personnel, and be re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 29

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2823

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Municipal and County Government, in Room 426

At 8 p.m.—

Industrial Relations, in Room 432
Revenue and Taxation, in Room 435

Today upon adjournment—

Transportation and Commerce, in Room 432

Tomorrow, Friday, March 23d, at 9 a.m.—

Rules, in Room 320

It was announced that the following committee would hold no meeting today:

Civil Service and State Personnel

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the San Francisco Delegation and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Joe DiMaggio, Joe Paige, and Phil Rizzuta of the New York Yankee Baseball Team

On request of Mr. Dunn and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Clarence Murphy, den mother of Cub Scouts Pack 27, Daniel Webster School of

Oakland, and the following Cubs: Robby Asher, Jerry Bassinger, Jimmy Freeman, and Gary Murphy.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mary Schlager of Fresno.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Gene M. Harris of Santa Barbara.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Ysabel Forker of Bakersfield.

On request of San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dewey Mead and John J. Sullivan of San Francisco.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John N. James of San Francisco.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were uanimously extended to Mrs. Dorothy Young, Miss Evelyn Messner, and Richard Young of Inglewood.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Vining Fisher of San Francisco.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Marguerite Hansen of Santa Barbara.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to George F. Poulos of Manteca.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Bryce Schurr, and Bryce Schurr, Junior of San Fernando

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Rex Cleft of Fairfield.

ADJOURNMENT

At 2.27 p.m, on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 9 30 a m, Friday, March 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

TWENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 23, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

March 23, 1951

O Thou Savior of Mankind, Who hath redeemed us by Thy cross, teach us that which is good in Good Friday.

Remind us that You were wounded for our transgressions and bruised for our iniquities.

We stand in awe of so great a love revealing how all mankind should follow in the great example of humility and obedience.

We thank You for making us partners of Thy resurrection and eternal life, showing us that earth's saddest day and gladdest day were but one day apart.

"In the cross of Christ I glory,
Towering o'er the wrecks of time;
All the light of sacred story
Gathers round its head sublime.
Bane and blessing, pain and pleasure,
By the cross are sanctified;
Peace is there that knows no measure,
Joys that thro' all time abide"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lyon, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Hinckley.

Mr. Cooke, on motion of Mr. Hinckley.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Sherwin, on motion of Mr. Maloney.

Mr. Thomas, on motion of Mr. Porter.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF NEW MEXICO
HOUSE OF REPRESENTATIVES
SANTA FE, NEW MEXICO, March 19, 1951

Clerk, House of Representatives

DEAR SIR. I am forwarding to you under separate cover at the request of the Twentieth Legislative Assembly of the State of New Mexico, a copy of House Joint Resolution No 12

This resolution makes application to the Congress of the United States to call a convention to amend the Constitution of the United States to limit the taxing power of the Federal Government.

I believe the resolution is self-explanatory

Yours very truly,

SANTOS QUINTANA, Chief Clerk

Upon receipt, the above mentioned resolution will be ordered referred to the Committee on Revenue and Taxation.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF IOWA, HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, March 20, 1951

Chief Clerk,
House of Representatives,
Sacramento, California

DEAR SIR: Enclosed is a copy of a bill that the Ways and Means Committee of the Iowa Legislature passed out with recommendation that it do pass.

We think it is a good bill. We think it is a fair bill; and we think it ought to be enacted into law here so that we can reciprocate with other states. But, unless other states also have this type of legislation, it cannot work to the mutual benefit and best interests of all, so we would appreciate your bringing this to the attention of the appropriate committee, if it does not already apply, and to consider legislation of this type for the interest of your State and ours.

Sincerely yours,

DEWEY E. GOODE, Chairman
Ways and Means Committee

Above mentioned copy of bill ordered referred to the Committee on Ways and Means.

ANNOUNCEMENT

Speaker Sam L. Collins and Mr. Stanley announced the birthday, today, of Mrs. Niehouse, and Mr. Stanley presented flowers to her with appropriate wishes from all Members of the Assembly, on behalf of the people of San Diego, for the San Diego Delegation.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS ADOPTED TO ASSEMBLY BILLS NOS. 41 AND 42

Mr. Waters asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Thursday, March 22d, adopted amendments offered by the Committee on Elections and Reapportionment to Assembly Bills No. 41 and 42.

Motion to Reconsider Action Whereby Record Was Expunged and Action Rescinded on Amendments to Assembly Bills Nos. 41 and 42

Mrs. Niehouse moved to reconsider the vote whereby the Assembly, on this day, granted unanimous consent to expunge the record and rescind the action whereby the Assembly, on Thursday, March 22d, adopted amendments to Assembly Bills Nos. 41 and 42.

Messrs Luckel and Cloyed seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Berry, Chapel, Cloyed, Coats, George D. Collins, Condon, Davis, Elliott, Fleury, Gaffney, Hagen, Henderson, Lowrey, Luckel, McCarthy, Moss, and Niehouse—17

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Levering, Lipscomb, Lyon, Maloney, McCollister, Morris, Porter, Rosenthal, Rumford, Shaw, Stewart, Tomlinson, Waters, and Mr. Speaker—36

MOTION TO ADOPT AMENDMENTS TO ASSEMBLY BILLS NOS. 41 AND 42

Mr. Lyon moved that amendments, as previously adopted in a meeting of the Committee on Elections and Reapportionment to Assembly Bills Nos. 41 and 42 be adopted, at this time.

Mr. Waters seconded the motion.

Motion carried.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 41

Assembly Bill No. 41—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 492", and insert "repeal existing Section 491 of, and to add new Section 491,".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Assembly".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "492 is added to", and insert "491 of"

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ". to read ", and insert "is repealed."

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC. 2. Section 491 is added to said code, to read:

491. The State is divided into 80 assembly districts, which shall be designated and constituted as follows:

1. The Counties of Del Norte, Humboldt and Mendocino shall constitute the First Assembly District.

2. The Counties of Trinity, Shasta, Siskiyou, Modoc, Lassen, Plumas and Sierra shall constitute the Second Assembly District

3 The Counties of Tehama, Glenn, Lake, Colusa and Yolo shall constitute the Third Assembly District

4. The Counties of Butte, Yuba and Sutter shall constitute the Fourth Assembly District

5 The Counties of Napa and Solano shall constitute the Fifth Assembly District.

6. The Counties of Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Inyo and Mono shall constitute the Sixth Assembly District.

7. The Counties of Sonoma and Marin shall constitute the Seventh Assembly District.

8. All that portion of the County of Sacramento bounded and described as follows:

Commencing at the point of intersection of an extension of the center line of K Street in the City of Sacramento with the westerly boundary of the county; thence easterly along the center line of K Street to the center line of Alhambra Boulevard; thence southerly along the center line of Alhambra Boulevard to the center line of R Street; thence easterly along the extension of the center line of R Street to the center of the intersection of 40th Street with R Street; thence continuing easterly along the center line of R Street and an easterly extension of R Street to the easterly boundary of the City of Sacramento; thence northerly along the easterly boundary of said city to the intersection of said city boundary with the middle of the channel of the American River; thence easterly along the middle of the channel of the American River to the intersection of said river with the northerly boundary of the County of Sacramento; thence westerly along the northerly boundary of said county to the easterly boundary of said county; thence southerly along the westerly boundary of said county to the point of commencement, shall constitute the Eighth Assembly District.

9 All that portion of the County of Sacramento not included in the Eighth Assembly District, as fixed and defined by this section, shall constitute the Ninth Assembly District.

10. All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Tenth Assembly District.

11. All that portion of the County of Contra Costa not included in the Tenth Assembly District, as fixed and defined by this section, shall constitute the Eleventh Assembly District.

12. The County of San Joaquin shall constitute the Twelfth Assembly District.

13. All that portion of the County of Alameda, described as follows:

All that portion of the County of Alameda lying southerly and easterly of a line described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro; thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East 14th Street; thence northwesterly along the center line of East 14th Street to the center line of 98th Avenue; thence southwesterly along the center line of 98th Avenue to the center line of the right of way of the Central Pacific Railway; thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence northeasterly along the center line of High Street to the center line of East 14th Street; thence southeasterly along

the center line of East 14th Street to the center line of 69th Avenue; thence northeasterly along the center line of 69th Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of 98th Avenue; thence northeasterly along the center line of 98th Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda, shall constitute the Thirteenth Assembly District.

14. All that portion of the County of Alameda, described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro; thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East 14th Street; thence northwesterly along the center line of East 14th Street to the center line of 98th Avenue; thence southwesterly along the center line of 98th Avenue to the center line of the right of way of the Central Pacific Railway, thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence southwesterly along the center line of High Street to the southwesterly boundary line of the City of Oakland; thence northwesterly along the southwesterly boundary line of the City of Oakland to an intersection with the direct extension southwesterly of the center line of 13th Avenue; thence northeasterly along said direct extension and along the center line of 13th Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the northerly boundary line of the City of Alameda; thence westerly along the northerly boundary line of the City of Alameda to an intersection with the westerly boundary line of the County of Alameda; and thence southeasterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fourteenth Assembly District

15 All that portion of the County of Alameda described as follows:

Commencing at the point of intersection of the northeasterly boundary line of the County of Alameda with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the curvature thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont, thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of 13th Avenue; thence continuing southwesterly along the center line of 13th Avenue and along its direct extension southwesterly to the southwesterly boundary line of the City of Oakland; thence southeasterly along the southwesterly boundary line of the City of Oakland to the center line of High Street; thence northeasterly along the center line of High Street to the enter line of East 14th Street; thence southeasterly along the center line of East 14th Street to the center line of 69th Avenue; thence northeasterly along the center line of 69th Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of 98th Avenue; thence northeasterly along the center line of 98th Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road, thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly

boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda; and thence northwesterly along the northerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fifteenth Assembly District.

16. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the easterly boundary line of the City of Berkeley with the northerly boundary line of the City of Alameda; thence southeasterly along the northeasterly boundary line of the County of Alameda to the point of intersection with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the meanders thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont, thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont, thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of 13th Avenue, thence continuing southwesterly along the center line of 13th Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the center line of 12th Street; thence northwesterly along the center line of 12th Street to the center line of Fallon Street; thence northeasterly along the center line of Fallon Street to the center line of 14th Street; thence northerly and northwesterly along the center line of 14th Street to the center line of Harrison Street; thence northeasterly along the center line of Harrison Street to the center line of 19th Street; thence northwesterly along the center line of 19th Street to the center line of Telegraph Avenue; thence northerly along the center line of Telegraph Avenue to the center line of Shattuck Avenue; thence continuing northerly along the center line of Shattuck Avenue to an intersection with the southerly boundary line of the City of Berkeley; and thence in a general easterly and northerly direction along the southerly and easterly boundary lines of the City of Berkeley to the point of commencement, shall constitute the Sixteenth Assembly District.

17. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence easterly along said city boundary line to the center line of San Pablo Avenue; thence southerly along the center line of San Pablo Avenue to the center line of Dwight Way; thence easterly along the center line of Dwight Way to the center line of Grove Street; thence southerly along the center line of Grove Street to Derby Street; thence easterly to an intersection with the direct extension northerly of the center line of Shattuck Avenue, as said Shattuck Avenue exists south of Ward Street; thence southerly along said direct extension and along the center line of Shattuck Avenue to the center line of Telegraph Avenue; thence continuing southerly along the center line of Telegraph Avenue to the center line of 19th Street; thence southeasterly along the center line of 19th Street to the center line of Harrison Street; thence southwesterly along the center line of Harrison Street to the center line of 14th Street; thence southeasterly and southerly along the center line of 14th Street to the center line of Fallon Street; thence southwesterly along the center line of Fallon Street to the center line of 12th Street; thence southeasterly along the center line of 12th Street to an intersection with the line separating Oakland Township from Brooklyn Township, thence southwesterly along the line separating Oakland Township from Brooklyn Township to the southwesterly boundary line of the City of Oakland; thence westerly along the southwesterly boundary line of the City of Oakland to the southwest corner thereof being on the westerly boundary line of the County of Alameda; and thence northwesterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Seventeenth Assembly District

18. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence northwesterly along the westerly boundary line of the County of Alameda to the northwest corner thereof; thence easterly and southeasterly along the northerly boundary line of the County of Alameda to the easterly boundary line of the City of Berkeley; thence in a general southerly and westerly direction along the easterly and southerly boundary

lines of the City of Berkeley to the center line of Shattuck Avenue; thence northerly along the center line of Shattuck Avenue and along its direct extension northerly to the center line of Derby Street, thence westerly along the center line of Derby Street to the center line of Grove Street; thence northerly along the center line of Grove Street to the center line of Dwight Way; thence westerly to the center line of San Pablo Avenue; thence northerly to the intersection of San Pablo Avenue with the Berkeley-Albany line; thence westerly along the Berkeley-Albany line to the point of commencement, shall constitute the Eighteenth Assembly District.

19. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Moraga Street and the shoreline of the Pacific Ocean; thence along the center line of the following streets. Moraga to Lomita Avenue, Lomita Avenue to Aloha Avenue, Aloha Avenue to 14th Avenue, 14th Avenue to Moraga, Moraga to Seventh Avenue, Seventh Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Woodside Avenue, Woodside Avenue to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly along said shoreline to the center line of Moraga Street and the point of commencement, shall constitute the Nineteenth Assembly District

20 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to Market, Market to Valencia, Valencia to Mission, Mission to Cortland Avenue, Cortland Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Silver Avenue, Silver Avenue to Quesada Avenue, Quesada to Quint, Quint to Oakdale Avenue, Oakdale Avenue to Third, Third to Islais; thence easterly along said Islais Street to the shoreline of the Bay of San Francisco, thence northerly and westerly along said shoreline to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District.

21. All that portion of the City and County of San Francisco bounded and described as follows

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center line of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to California, California to Arguello Boulevard, Arguello Boulevard to Geary Boulevard, Geary Boulevard to Point Lobos Avenue; thence westerly along Point Lobos Avenue to the shoreline of the Pacific Ocean, northerly along said shoreline to the shoreline of the Bay of San Francisco, easterly along said shoreline of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District

22 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Presidio Avenue with the center line of California Street; thence along the center lines of the following streets: Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to Portola Drive, Portola Drive to Woodside Avenue, Woodside Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Seventh Avenue, Seventh Avenue to Moraga, Moraga to 14th Avenue, 14th Avenue to Aloha, Aloha Avenue to Lomita Avenue, Lomita Avenue to Moraga, Moraga to the shoreline of the Pacific Ocean; thence northerly along said shoreline to Point Lobos Avenue, Point Lobos Avenue to Geary Boulevard, Geary Boulevard to Arguello Boulevard, Arguello Boulevard to California, California to Presidio Avenue and the point of commencement, shall constitute the Twenty-second Assembly District.

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Mission Street and the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shoreline of the Bay of San Francisco; thence northerly and westerly along said shoreline of the Bay of San Francisco to the center line of Islais Street, thence along the center lines of the following streets Islais to Third, Third to Oakdale Avenue, Oakdale Avenue to Quint, Quint to Quesada Avenue, Quesada Avenue to Silver Avenue,

Silver Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Cortland Avenue, Cortland Avenue to Mission, Mission to Valencia, Valencia to 17th, 17th to Market, Market to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, and the point of commencement, shall constitute the Twenty-third Assembly District.

24. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Valencia Street with the center line of 17th Street, thence along the center lines of the following streets: Valencia to Market, Market to Mason, Mason to California, California to Presidio Avenue, Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to 17th, 17th to Valencia and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at a point where a line dividing the City and County of San Francisco and the County of San Mateo intersects the shoreline of the Pacific Ocean, and running thence easterly along said dividing line to the easterly boundary line of San Mateo County in San Francisco Bay; thence southeasterly along said easterly boundary line of San Mateo County to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M. D. B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9, and 8 in said township and range to the northwest corner of the southwest quarter of Section 8 in said township and range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right of way line of the Southern Pacific Company; thence southeasterly along the northeasterly right of way line of said Southern Pacific Company to its intersection with the center line of 19th Avenue (now or formerly County Road No. 16); thence southwesterly along the center line of said 19th Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IV SM 2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton et al, recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general northerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-fifth Assembly District

26. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at the southwest corner, being the west corner of Santa Cruz County as established in Section 3952; thence on the northwestern line of Santa Cruz County as established in said section, to the southwestern line of Santa Clara County, being the summit line of the Santa Cruz Mountains; thence northwesterly by said summit line to the source of San Francisquito Creek; thence down the south branch thereof, and down said creek to its mouth; thence to a point in the middle of San Francisco Bay, opposite said mouth, forming a common corner of San Mateo, Santa Clara and Alameda Counties; thence in a direct line to a point in the center of ship channel in the Bay of San Francisco west of and opposite to Dumbarton Point; thence in a direct line to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M. D. B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9 and 8 in said township and range to the northwest corner of the southwest quarter

of Section 8 in said township and range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right-of-way line of the Southern Pacific Company; thence southeasterly along the northeasterly right-of-way line of said Southern Pacific Company to its intersection with the center line of 19th Avenue (now or formerly County Road No 16), thence southwesterly along the center line of said 19th Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IVSM2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton, et al., recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general southerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-sixth Assembly District

27. The Counties of San Benito and Santa Cruz shall constitute the Twenty-seventh Assembly District.

28. All that portion of the County of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnew, Alviso, Barron, Bay View Berryessa Burbank, Calderon, Cupertino, Encina, Farwell, Fremont Nos 1 and 2, Fruitvale, Jefferson Nos 1 and 2, Linda Vista Nos 1 and 2, Los Altos Nos 1 to 3, inclusive, Midway Milpitas Nos 1 and 2, Miramonte, Mount Hamilton Nos. 1 and 2, Mountain View Nos. 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos 1 to 9, inclusive, San Tomas, Saratoga Nos 1 and 2, Seale, Stanford Nos. 1 and 2 and Sunnyvale Nos. 1 to 4, inclusive, shall constitute the Twenty-eighth Assembly District.

29. All that portion of the County of Santa Clara not included in the Twenty-eighth Assembly District, as fixed and defined by this section, shall constitute the Twenty-ninth Assembly District

30 The County of Stanislaus shall constitute the Thirtieth Assembly District.

31 The counties of Merced and Madera shall constitute the Thirty-first Assembly District.

32. All that portion of the County of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue; southerly on Winery Avenue to McKinley Avenue; westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning, shall constitute the Thirty-second Assembly District.

33. All that portion of the County of Fresno not included in the Thirty-second Assembly District shall constitute the Thirty-third Assembly District.

34 The County of Monterey shall constitute the Thirty-fourth Assembly District.

35. The counties of Kings and Tulare shall constitute the Thirty-fifth Assembly District.

36 The Counties of San Luis Obispo and Santa Barbara shall constitute the Thirty-sixth Assembly District.

37. The County of Ventura shall constitute the Thirty-seventh Assembly District.

38. All that portion of the County of Kern, bounded and described as follows:

Commencing at the northeast corner of Section 1, Township 25 South, Range 27 East, M. D. M., said northeast corner being a point on the north boundary line of the County of Kern, and running thence south along section lines 18 miles to the southeast corner of Section 36, Township 27 South, Range 27 East, M. D. M.; thence west along section lines 2 miles to the northwest corner of Section 2, Township 28 South, Range 27 East, M. D M.; thence south along section lines 6 miles to the southeast

corner of Section 34, Township 28 South, Range 27 East, M D. M, said corner being on the Seventh Standard Parallel; thence east along said Seventh Standard Parallel to the northwest corner of Section 6, Township 29 South, Range 28 East, M. D. M.; thence south along the west line of said Section 6 to the southeast corner of said section; thence east along section lines to the northeast corner of Section 8, Township 29 South, Range 28 East, M. D. M.; thence south along the east line of said Section 8 to the southeast corner of said Section 8; thence west along the south line of said Section 8 to the southwest corner of said section; thence south along the east line of Section 18, Township 29 South, Range 28 East, M D. M, to intersect the westerly extension of the south boundary of Monte Vista Drive; thence easterly on and along the said westerly extension and the south boundary of Monte Vista Drive to intersect the east boundary of Union Avenue, thence south along the east boundary of Union Avenue to intersect the south boundary of Bernard Street; thence west along the westerly extension of the south boundary of Bernard Street to intersect the center line of Union Avenue; thence south along the center line of said Union Avenue to intersect the center line of California Avenue, said intersection being a point on the corporate limits of the City of Bakersfield; thence westerly along the center line of said California Avenue and said corporate limits to the west boundary of Union Avenue; thence south along the west boundary line of Union Avenue and said corporate limits of the City of Bakersfield, to the north boundary line of Brundage Lane; thence continuing south along said west boundary line of Union Avenue to the center line of Brundage Lane, said center line being the north boundary line of Section 6, Township 30 South, Range 28 East, M. D M; thence east along the said center line to the northeast corner of said Section 6; thence south along section line 1 mile to the northwest corner of Section 8, Township 30 South, Range 28 East, M. D. M.; thence east along the north boundary line of said Section 8, to the center line of Lotus Lane; thence south along the center line of said Lotus Lane to the south boundary line of said Section 8; thence west along the south boundary line of said Section 8 to the northwest corner of Section 17, Township 30 South, Range 28 East, M. D. M; thence south along the west boundary line of said Section 17, a distance of 1 mile to the southwest corner of said Section 17; thence east along the north boundary line of Section 20, Township 30 South, Range 28 East, M. D. M. to the center line of Garber Way; thence south along the center line of said Garber Way and extension thereof to the south boundary line of Section 20 of said township; thence west along the south boundary line of said Section 20 to the northwest corner of Section 29, Township 30 South, Range 28 East, M. D. M; thence south along section lines 3 miles to the southeast corner of Section 6, Township 31 South, Range 28 East, M. D M; thence west along the south boundary line of said Section 6, 1 mile to the northwest corner of Section 7, Township 31 South, Range 28 East, M D. M.; thence south along section lines 5 miles to the southwest corner of Section 31, Township 31 South, Range 28 East, M D. M.; thence easterly along section lines 3 miles to the northeast corner of Section 4, Township 32 South, Range 28 East M D M., thence south along section lines 6 miles to the southeast corner of Section 33, Township 32 South, Range 28 East, M. D. M, said corner being on the Eighth Standard Parallel; thence east along the Eighth Standard Parallel to the northeast corner of Fractional Section 25, Township 12 North, Range 20 West, S. B M.; thence south along section lines to the northwest corner of Section 18, Township 11 North, Range 19 West, S B M.; thence easterly along the north boundary line of said Section 18 to the northeast corner thereof; thence south along section lines 4 miles more or less to the southwest corner of Section 32, Township 11 North, Range 19 West, S. B. M., thence east along the south boundary line of said Township 11 North, Range 19 West, S. B. M. to the southeast corner of said township; thence south along the southerly extension of the east boundary line of Township 11 North, Range 19 West, S B. M, to intersect the easterly extension of the north boundary line of Township 9 North, Range 19 West, S. B M.; thence east along the easterly extension of said north boundary line to intersect the northerly extension of the east boundary line of Township 9 North, Range 19 West, S. B. M.; thence south along the said east boundary line and northerly extension of Township 9 North, Range 19 West, S. B. M. to the southeast corner of Township 9 North, Range 19 West, S. B. M., being a point on the south boundary line of the County of Kern; thence east to the southeast corner of said County of Kern; thence north along the easterly boundary of said county to the northeast corner thereof; thence westerly along the northerly boundary of said county to the point of commencement, shall constitute the Thirty-eighth Assembly District.

39. All that portion of the County of Kern not included in the Thirty-eighth Assembly District, as fixed and defined by this section, shall constitute the Thirty-ninth Assembly District.

40 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly prolongation of the center line of Boylston Street and the center line of the Hollywood Parkway; thence southeasterly along the center line of said parkway to the center line of North Main Street; thence

northeasterly along the center line of North Main Street to the center line of Alhambra Avenue; thence northeasterly along the center line of Alhambra Avenue and the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma) to the northerly prolongation of the center line of Daly Street; thence southerly along said prolongation and center line of Daly Street to the center line of Mission Road, thence northeasterly along the center line of Mission Road to the center line of Marengo Street; thence southeasterly along the center line of Marengo Street to the center line of Soto Street; thence northeasterly along the center line of Soto Street to the center line of Valley Boulevard; thence southeasterly along the center line of Valley Boulevard to the northerly prolongation of the center line of Indiana Street; thence southerly along said prolongation and center line of Indiana Street to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, lying at or near the intersection of the center lines of Medford and Indiana Streets; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly prolongation of the center line of McBride Avenue, thence southerly along said last mentioned prolongation, the center line of McBride Avenue and the southerly prolongation thereof, to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Eastern Avenue; thence southerly along the center line of Eastern Avenue to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Brannick Avenue; thence southerly along the center line of Brannick Avenue to the center line of Folsom Street; thence westerly along the center line of Folsom Street to the center line of Hazard Avenue; thence northerly along the center line of Hazard Avenue to the center line of Dobinson Street; thence westerly and northwesterly along the center line of Dobinson Street to the center line of Geraghty Avenue, thence southerly along the center line of Geraghty Avenue to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Gage Avenue, thence southerly along the center line of Gage Avenue to the center line of Blanchard Street; thence westerly and northwesterly along the center line of Blanchard Street to the easterly boundary of the aforesaid City of Los Angeles; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Alameda Street; thence northerly along the center line of Alameda Street to the center line of Olympic Boulevard (from the northwest); thence northwesterly along the center line of Olympic Boulevard and northwesterly along the center line of Ninth Street to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Harbor Parkway; thence northeasterly along the center line of Harbor Parkway to the southeasterly prolongation of the center line of Sixth Street; thence northwesterly along said prolongation and center line of Sixth Street to the center line of Boylston Street; thence northerly along the center line of Boylston Street to the center line of Huntley Drive, thence easterly along the center line of Huntley Drive and the easterly prolongation thereof to the southwesterly prolongation of the center line of Boylston Street; thence northeasterly along said prolongation and center line of Boylston Street to the point of beginning, shall constitute the Fortieth Assembly District.

41. All that part of the County of Los Angeles within the following described boundaries

Beginning at the northwesterly corner of the County of Los Angeles, said corner lying on the northerly line of Section 4, Township 8 North, Range 19 West, S. B. B & M.; thence easterly along the boundary of said county and following the same in all its various courses to the southerly line of Section 31, Township 3 North, Range 7 West, S B B. & M; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 11 West, S B. B. & M.; thence northerly along the range line between Ranges 11 and 12 West, to the northeast corner of Section 1, Township 2 North, Range 12 West, S B. B. and M.; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 13 West, S B. B & M.; thence southerly along section lines to the southeast corner of Section 36, Township 3 North, Range 14 West, S B B. & M; thence westerly along section lines to the northwest corner of Section 4, Township 2 North, Range 14 West S. B. B & M; thence southerly along section lines to the northerly line of the Hansen Flood Control Basin; thence easterly along the northerly line of the Hansen Flood Control Basin, and following the same in all its various courses to the northerly prolongation of the center line of Clybourn Avenue; thence southerly along the northerly prolongation of the center line of Clybourn Avenue, and the center line of Clybourn Avenue to the center line of Roscoe Boulevard; thence westerly along the center line of Roscoe Boulevard and its westerly prolongation to the center line of Whitsett Avenue, thence southerly along the center line of Whitsett Avenue to the center line of Cantara Street; thence westerly along the center line of Cantara Street to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue to the center line of the Southern Pacific Railroad Co's right of way (Coast Line) in Raymer Street; thence northwesterly along the center line of said right of way to the center line of Roscoe Boulevard; thence westerly along the center

line of Roscoe Boulevard and along the prolongation of the most westerly portion thereof to the westerly boundary of the City of Los Angeles, as the same existed March 1, 1951; thence northerly along said westerly boundary of the City of Los Angeles to the northerly line of Fractional Section 34, Township 2 North, Range 17 West, S. B. B. & M.; thence westerly along section lines to the westerly boundary of the County of Los Angeles; thence northerly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the Forty-first Assembly District.

42. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of Section 4, Township 2 North, Range 14 West, S. B. B. & M.; thence easterly along section lines to an angle point in the northerly boundary of the City of Los Angeles as the same existed on March 1, 1951, located on the westerly line of Section 6, Township 2 North, Range 13 West, S. B. B. & M., thence southerly along the boundary of said city and following the same in all its various courses to the center line of Scott Road; thence southerly along the center line of Scott Road to the center line of San Fernando Boulevard; thence southeasterly along the center line of San Fernando Boulevard to the westerly boundary of the City of Glendale as the same existed on the above date; thence southwesterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of Chevy Chase Drive; thence westerly along the center line of Chevy Chase Drive and the westerly prolongation thereof to the center line of the Los Angeles River; thence northerly along the center line of the Los Angeles River to the southerly line of Section 30, Township 1 North, Range 13 West, S. B. B. & M.; thence westerly along section lines to the easterly boundary of the Rancho Ex Mission de San Fernando as shown on map recorded in Book 1, page 605 of Patents, in the office of the recorder of the County of Los Angeles, thence northerly along said easterly rancho line to the westerly boundary of the City of Burbank as the same existed on the above date; thence northerly along the westerly boundary of the City of Burbank to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Coldwater Canyon Avenue; thence northerly along the center line of Coldwater Canyon Avenue to the center line of Cantara Street; thence easterly along the center line of Cantara Street to the center line of Whitsett Avenue; thence northerly along the center line of Whitsett Avenue to the westerly prolongation of the center line of Roscoe Boulevard; thence easterly along the westerly prolongation of Roscoe Boulevard, the easterly prolongation and center line of Roscoe Boulevard to the center line of Clybourn Avenue; thence northerly along the center line of Clybourn Avenue, Sunland Boulevard, Clybourn Avenue and the northerly prolongation thereof to the southeasterly boundary line of the Hansen Flood Control Basin; thence northeasterly along the boundary line of the Hansen Flood Control Basin, and following the same in all its various courses to the westerly line of the southerly prolongation of Fractional Section 9, Township 2 North, Range 14 West, S. B. B. & M.; thence northerly along said prolongation and section line to the point of beginning shall constitute the Forty-second Assembly District.

43. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Los Angeles as same existed March 1, 1951, on the northerly line of Section 34, Township 2 North, Range 14 West, S. B. B. & M.; thence easterly along the boundary of said city to an angle point in said boundary at or near the southeast corner of the southwest one-quarter of Section 29, Township 2 North, Range 13 West, S. B. B. & M.; thence easterly along section lines to a point in the northwesterly line of Tract No. 10156 as shown on map recorded in Book 164, pages 1-2 of Maps, in the office of the Recorder of the County of Los Angeles; thence northeasterly along the northwesterly line of said tract and following the same in all its various courses to its first intersection with the boundary of the City of Glendale as same existed on above mentioned date; thence southeasterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of San Fernando Boulevard; thence northwesterly along the center line of San Fernando Boulevard to the center line of Scott Road; thence northwesterly along the center line of Scott Road to the easterly boundary of the aforesaid City of Los Angeles; thence northerly along the boundary of said last-mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-third Assembly District.

44. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of the City of Long Beach as same existed March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of said city at or near the northeasterly corner of 70th Street and Orange Avenue; thence due west to the center line of Orange Avenue; thence southerly along the center line of Orange Avenue to the center line of Fourth Street; thence easterly along the center line of Fourth

Street to the center line of Cherry Avenue; thence southerly along the center line of Cherry Avenue to the center line of Ocean Boulevard; thence easterly along the center line of Ocean Boulevard to the center line of 16th Place; thence southerly along the center line of 16th Place and the southerly prolongation thereof to the southerly boundary ot the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the northeasterly boundary of the City of Los Angeles as same existed on above mentioned date (Ostend Addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the City of Long Beach at or near the intersection of 223d Street and Sperian Avenue; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-fourth Assembly District.

45. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Glendale Avenue and Sunset Boulevard; thence southeasterly along the center line of Sunset Boulevard to the center line of Quintero Street; thence northeasterly along the center line of Quintero Street to the center line of Macbeth Street; thence northwesterly along the center line of Macbeth Street to the center line of Sutherland Street; thence northeasterly along the center line of Sutherland Street to the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6 of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof to the center line of Portia Street; thence northeasterly along the center line of Portia Street to the center line of Scott Avenue; thence northeasterly along the center line of Scott Avenue to the southwesterly prolongation of the center line of Elysian Park Drive; thence northeasterly along said prolongation and center line of Elysian Park Drive and following the same in all its various courses to the center line of Chavez Ravine Drive (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No 37351 of the City of Los Angeles); thence northeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the southwesterly prolongation of the center line of Dallas Street; thence northeasterly along said last mentioned prolongation, the center line and northeasterly prolongation of the center line of said Dallas Street to the center line of the Official Bed of the Los Angeles River; thence southeasterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Granada Street; thence northeasterly along said last mentioned prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line); thence northwesterly along the southwesterly line of said right of way to its intersection with the southwesterly prolongation of the center line of Division Street, said point being near the southwesterly corner of Tract No 3867 as shown on map recorded in Book 44, pages 20 and 21, of Maps in the office of the Recorder of the County of Los Angeles; thence northeasterly along said prolongation and center line of Division Street to the center line of Avenue 30; thence southeasterly along the center line of Avenue 30 to the center line of Bank Street; thence northeasterly along the center line of Bank Street to the center line of Isabel Street; thence southeasterly along the center line of Isabel Street and following the same in all its various courses to the center line of Amabel Street; thence southeasterly along the center line of Amabel Street to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 37; thence southeasterly along the center line of Avenue 37 to the center line of Arroyo Seco Avenue; thence northeasterly along the center line of Arroyo Seco Avenue to the center line of Marmion Way; thence northerly along the center line of Marmion Way and following the same in all its various courses to the northwesterly prolongation of the center line of that portion of Avenue 44 lying between Figueroa Street and Marmion Way; thence southeasterly along said prolongation and center line of Avenue 44 to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 45; thence southeasterly along the center line of Avenue 45 to the westerly prolongation of the northerly patent boundary line of the City of Los Angeles; thence easterly along said northerly patent boundary line to the center line of Boundary Avenue; thence southerly along the center line of Boundary Avenue to the center line of Mercury Avenue; thence southwesterly along the center line of Mercury Avenue to the center line of Sardonyx Street; thence easterly along the center line of Sardonyx Street and following the same in all its various courses to the center line of Galena Street; thence southwesterly along the center line of Galena Street to the center line of Topaz Street; thence southeasterly along the center line of Topaz Street to the center line of Pacific Electric Railway right of way; thence northeasterly along the center line of said right of way and following the same in all its various courses to the center line of Eastern Avenue, thence southerly along the center line of Eastern Avenue to the

center line of Lombardy Boulevard; thence southeasterly along the center line of Lombardy Boulevard and following the same in all its various courses to the center line of Endicott Street; thence southeasterly along the center line of Endicott Street and its southeasterly prolongation to the center line of Southern Pacific Railroad right of way (Main Line to Yuma); thence northeasterly along the center line of said last mentioned right of way and following the same in all its various courses to the easterly boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of said city to the center line of Hellman Avenue; thence easterly along the center line of Hellman Avenue to the center line of Fremont Avenue (from the southeast) as per County Surveyor's Map No. 3623, on file in the office of the Surveyor of the County of Los Angeles; thence southeasterly along the center line of Fremont Avenue to the center line of Garvey Avenue; thence easterly and northeasterly along the center line of Garvey Avenue and following the same in all its various courses to the center line of Valley Boulevard; thence southeasterly along the center line of Valley Boulevard to the center line of the Official Bed of the San Gabriel River; thence southwesterly along the center line of said last mentioned river and following the same in all its various courses to the southeasterly prolongation of the center line of Siphon Road; thence northwesterly along the center line of said last mentioned prolongation and the center line of Siphon Road and San Gabriel Boulevard to the northeasterly prolongation of Lincoln Avenue; thence southwesterly along said last mentioned prolongation to the northeasterly boundary of the City of Montebello as same existed on above mentioned date; thence northwesterly and westerly along said last mentioned boundary, the center line of Pomona Boulevard, and the center line of Beverly Boulevard to an angle point in the westerly boundary of the City of Monterey Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Riggin Avenue; thence northwesterly along the center lines of Riggin Avenue and Brooklyn Avenue to the center line of Roscommon Avenue; thence northerly along the center line of Roscommon Avenue to the center line of Floral Drive; thence westerly along the center line of Floral Drive, its westerly prolongation thereof, and the center line of Floral Drive to the southerly prolongation of the center line of McBride Avenue; thence northerly along said last mentioned prolongation, the center line of McBride Avenue and northerly prolongation thereof to the boundary of the City of Los Angeles, as same existed on above mentioned date, thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Indiana Street; thence northerly along the center line of Indiana Street and its northerly prolongation thereof to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Soto Street; thence southwesterly along the center line of Soto Street to the center line of Marengo Street; thence northwesterly along the center line of Marengo Street to the center line of Mission Road; thence southwesterly along the center line of Mission Road to the center line of Daly Street; thence northerly along the center line of Daly Street and the northerly prolongation thereof to the center line of Alhambra Avenue; thence westerly along the center line of Alhambra Avenue to the center line of North Main Street; thence southwesterly along the center line of North Main Street to the center line of Hollywood Parkway; thence northwesterly along the center line of Hollywood Parkway to the northeasterly prolongation of the center line of Boylston Street; thence southwesterly along the last mentioned prolongation and center line of Boylston Street to the center line of Second Street; thence northwesterly along the center line of Second Street to the center line of Glendale Boulevard; thence northerly along the center line of Glendale Boulevard to the point of beginning, shall constitute the Forty-fifth Assembly District

46. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the southwesterly prolongation of the center line of Surf Street and the southwesterly boundary of the County of Los Angeles; thence northeasterly along said southwesterly prolongation and center line of Surf Street to the center line of Trolley Way; thence southerly along the center line of Trolley Way to the southwesterly prolongation of the center line of Manchester Avenue; thence northeasterly along said prolongation and center line of Manchester Avenue to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, near the intersection of Osage and Manchester Avenues, thence northeasterly along the boundary of said city to an angle point in said boundary at or near the intersection of the center lines of Agusta Street and Freeman Boulevard; thence southerly along the northerly prolongation of the center line of Freeman Boulevard to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch); thence northeasterly along said last mentioned center line and following the same in all its various courses to the easterly boundary of the City of Inglewood as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to a point due south of an angle point in the

boundary of said City of Inglewood, said angle point being at or near the northwesterly corner of Imperial Highway and Crenshaw Boulevard; thence due north to said angle point; thence westerly along boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Prairie Avenue, thence southerly along the center line of Prairie Avenue to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of said City of Los Angeles, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the easterly boundary of the City of El Segundo as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city to the northerly boundary of the City of Manhattan Beach, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the southerly boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of Aviation Boulevard and Redondo Beach Boulevard; thence easterly along the center line of Redondo Beach Boulevard to the center line of Flagler Lane; thence southerly along the center line of Flagler Lane to the boundary of said City of Redondo Beach, at or near the intersection of Beryl Street and Flagler Lane; thence southerly along boundary of said last mentioned city to an angle point in the boundary of said last mentioned city at or near the southeasterly corner of Block 70, Tract 10019, as shown on map recorded in Book 182, pages 1-13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of said City of Torrance; thence westerly along the boundary of said City of Torrance and following the same in all its various courses to the center line of Pacific Coast Highway; thence southeasterly along the center line of Pacific Coast Highway to the center line of Newton Street (from the southeast), thence southeasterly along the center line of Newton Street to the center line of 242d Street; thence westerly along the center line of 242d Street to the center line of Wilmington Street; thence southerly along the center line of Wilmington Street to the southwesterly boundary of said City of Torrance, thence southeasterly and easterly along the boundary of said last mentioned city to an angle point in the southerly boundary thereof, said angle point being at or near the southwest corner of Tract No 954, as shown on map recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly and northeasterly along the southerly and easterly boundary of said last mentioned tract to the southwest corner of Lot 111, Tract No 3377, as shown on map recorded in Book 37, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the southerly boundaries of said last mentioned tract and Tract No 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles to the center line of Western Avenue, thence southerly along the center line of Western Avenue to a point due west of an angle point in the boundary of the City of Los Angeles, as same existed on above mentioned date, said angle point being at or near the northwesterly corner of Tract No 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due east to said last mentioned angle point, thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said County, and following the same in all its various courses to the point of beginning Also including the Islands of Santa Catalina and San Clemente, shall constitute the Forty-sixth Assembly District

47 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the westerly boundary of the City of Pasadena as same existed March 1, 1951, with the township line between Township 1 and Township 2 North; thence easterly along the township line to the easterly boundary of said city; thence southerly along the boundary of said city and following the same in all its various courses to the southeasterly corner of Lot 104, as shown on map of Tract No 7931, recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles, said last mentioned corner being also an angle point in the boundary of said city as same existed on above date; thence southerly along the easterly line of said last mentioned tract and along the southerly prolongation thereof to the center line of Washington Street; thence westerly along the center line of Washington Street to the center line of Wesley Avenue; thence southerly along the center line of Wesley Avenue to the center line of Whitefield Road; thence easterly along the center line of Whitefield Road to the center line of Allen Avenue; thence southerly along the center line of Allen Avenue to the center line of Walnut Street; thence easterly along the center line of Walnut Street to its first intersection with

the center line of Foothill Boulevard; thence easterly along the center line of Foothill Boulevard to an angle point in the boundary of the aforesaid City of Pasadena, at or near the center line of Sierra Madre Villa Avenue and the center line of Foothill Boulevard; thence easterly along the boundary of said city to the easterly line of Michillinda Boulevard; thence southerly along the easterly line of Michillinda Boulevard to the boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive, thence westerly along the center line of Las Tunas Drive to the center line of San Gabriel Boulevard; thence northerly along the center line of San Gabriel Boulevard to the boundary of the City of San Gabriel, as same existed on above mentioned date; thence westerly and northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of San Marino, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to a point in the easterly boundary of the City of South Pasadena as same existed on above mentioned date, said point being also a point in the boundary of the aforesaid City of Pasadena, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-seventh Assembly District.

48. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 6, Township 2 North, Range 13 West, S B B. & M., thence easterly along the township line to the northeasterly corner of Section 1, Township 2 North, Range 12 West, S B B. & M.; thence southerly along section line to the northwesterly corner of Section 6, Township 2 North, Range 11 West, S.B B & M; thence easterly along township lines to the northeasterly corner of Section 4, Township 2 North, Range 10 West, S B B. & M.; thence southerly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. & M.; thence westerly along section lines to the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S.B B. & M; thence southerly along quarter section line to its first intersection with the northerly boundary of the City of Monrovia, as same existed March 1, 1951, thence southerly along said last mentioned boundary and following the same in all its various courses to the center line of Foothill Boulevard; thence westerly along the center line of Foothill Boulevard to the boundary of the City of Arcadia, as same existed on above mentioned date; being at or near the west line of Sixth Avenue; thence southerly along said last mentioned boundary and following the same in all its various courses to an angle point therein (at or near the easterly line of Michillinda Avenue) thence north in a direct line to the southerly boundary of the City of Pasadena, as same existed on above mentioned date, being in the center line of Foothill Boulevard; thence westerly along said last mentioned boundary and center line of Foothill Boulevard to the center line of Walnut Avenue; thence westerly along the center line of Walnut Avenue to the center line of Allen Avenue; thence northerly along the center line of Allen Avenue to the center line of Whitefield Road; thence westerly along the center line of Whitefield Road to the center line of Wesley Avenue; thence northerly along the center line of Wesley Avenue to the center line of Washington Street; thence easterly along the center line of Washington Street to its intersection with the southerly prolongation of the easterly line of Tract No. 7931, as shown on map recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence northerly along said southerly prolongation to the southeasterly corner of Lot 104 of said last mentioned tract; said last mentioned corner being also an angle point in the northerly boundary of said City of Pasadena; thence northerly along said last mentioned boundary, and following the same in all its various courses to the township line between Townships 1 and 2 North; thence westerly along township line to the northerly boundary of said City of Pasadena; thence southeasterly along said last mentioned boundary and following the same in all its various courses to its first intersection with the westerly boundary of the City of Glendale as same existed on above mentioned date; thence southwesterly along said last mentioned boundary and following the same in all its various courses to the most northerly point in said last mentioned boundary; said point being also the most easterly corner of Tract 10156, as shown on map recorded in Book 164, pages 1 and 2, of Maps, in the office of said recorder; thence northwesterly along the boundary of said last mentioned tract and following the same in all its various courses to its intersection with the northerly line of Fractional Section 33, Township 2 North, Range 13 West, S B B. & M; thence westerly along section lines to its first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence northerly along the boundary of said city, and following the same in all its various courses to the southeasterly corner of Section 36, Township 3 North, Range 14 West, S B B & M.; thence northerly along range line to the point of beginning, shall constitute the Forty-eighth Assembly District.

49. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. & M., thence easterly along the township line between Townships 2 and 3 North to its intersection with the boundary of the County of Los Angeles, thence southerly along the boundary of said county and following the same in all its various courses to its intersection with the center line of Brea Canyon Road; thence northeasterly along the center line of Brea Canyon Road to the center line of Southern Pacific Railroad Company's right of way (Main Line to Yuma); thence northeasterly along the center line of said right of way to its intersection with the easterly line of the Rancho La Puente, as shown on map recorded in Book 1, pages 43 and 44, of Patents, in the office of the Recorder of the County of Los Angeles, thence northeasterly along the boundary of said rancho and following the same in all its various courses to its intersection with the southerly prolongation of the center line of Valley Center Avenue; thence northerly along said prolongation and the center line of Valley Center Avenue to the east and west quarter section line of Section 8, Township 1 South, Range 9 West, S.B.B. & M.; thence westerly along quarter section lines to the westerly line of Section 9, Township 1 South, Range 10 West, S.B.B. & M.; thence southerly along section line to its first intersection with the boundary of the City of West Covina, as same existed March 1, 1951; thence westerly and southerly along the boundary of said last mentioned city to its intersection with the northerly line of East Ramona Boulevard; thence south in a direct line to the center line of East Ramona Boulevard; thence southwesterly along the center line of East Ramona Boulevard (North Road) to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch); thence southwesterly along the center line of said last mentioned right of way to its intersection with the center line of the Pacific Electric Railway Company's right of way; thence southwesterly along the center line of said last mentioned right of way to the center line of San Gabriel River, thence northerly along the center line of said river and following the same in all its various courses to the northeasterly line of the Rancho San Francisquito as shown on map recorded in Book 1, pages 31 and 32 of Patents, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the boundary of said last mentioned rancho to its first intersection with the boundary of the City of Arcadia as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city to an angle point therein, at or near the easterly line of Sixth Avenue; thence southwesterly in a direct line to an angle point in the boundary of said last mentioned city, at or near the west line of Sixth Avenue; thence southwesterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Foothill Boulevard, at or near its intersection with the west line of Second Avenue; thence easterly along the center line of Foothill Boulevard to the westerly boundary of the City of Monrovia as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city, and following the same in all its various courses to the northeasterly corner of said last mentioned city; (said corner being also a point in the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S.B.B. & M.); thence northerly along quarter section line to the northerly line of said last mentioned section; thence easterly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. & M.; thence northerly along section lines to the point of beginning, shall constitute the Forty-ninth Assembly District

50. All that part of the County of Los Angeles within the following described boundaries

Beginning at the intersection of the northeasterly line of the San Francisquito Rancho as shown on map recorded in Book 1, pages 31, 32 of Patents, in the office of the Recorder of the County of Los Angeles, with the southeasterly boundary of the City of Arcadia as same existed March 1, 1951; thence southeasterly along the northeasterly boundary of said rancho to the center line of the San Gabriel River; thence southwesterly along the center line of said river to the center line of the Pacific Electric Railway Company's right of way; thence northeasterly along the center line of said right of way to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch), thence northeasterly along the center line of said last mentioned right of way to the center line of East Ramona Boulevard (northerly roadway); thence northeasterly along the center line of East Ramona Boulevard to a point due south of the southwest corner of the northwest annex to the City of West Covina; thence due north to said corner; thence northerly and easterly along the boundary of said last mentioned city to its first intersection with the westerly line of Section 9, Township 1 South, Range 10 West, thence northerly along section line to the east and west quarter section line of said last mentioned section; thence easterly along quarter section lines to the center, line of Valley Center Avenue; thence southerly along the center line of Valley Center Avenue and the southerly prolongation thereof to its first intersection with the easterly line of

the Rancho La Puente as shown on map recorded in Book 1, pages 33 and 34 of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho and following the same in all its various courses to its first intersection with the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma), thence southwesterly along the center line of said last mentioned right of way to the center line of Brea Canyon Road; thence southerly along the center line of Brea Canyon Road to its intersection with the boundary of the County of Los Angeles as same existed March 1, 1951; thence westerly along boundary of said county and following the same in all its various courses to the north and south quarter section line of Section 13, Township 3 South, Range 11 West; thence westerly along section lines to the center line of Luitwieler Avenue; thence northerly along the center line of Luitwieler Avenue to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Carmenita Road; thence northerly along the center line of Carmenita Road to the center line of Lakeland Road; thence westerly along the center line of Lakeland Road to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (San Diego Division); thence northerly along the center line of said last mentioned right of way to the center line of Santa Fe Springs Road; thence northeasterly along the center line of Sante Fe Springs Road to the center line of Los Nietos Road, thence northwesterly along the center line of Los Nietos Road to the center line of Norwalk Boulevard; thence northerly along the center line of Norwalk Boulevard to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Rosemead Boulevard; thence northerly along the center line of Rosemead Boulevard to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard and along the center line of Siphon Road and the southeasterly prolongation thereof to the center line of the San Gabriel River; thence northeasterly along the center line of said last mentioned river and following the same in all its various courses to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Potrero Avenue (from the north); thence northerly along the center line of Potrero Avenue and the northerly prolongation thereof to the center line of the Pacific Electric Railway Company's right of way (in Ramona Boulevard); thence easterly along the center line of said last mentioned right of way to the southerly prolongation of the center line of Baldwin Avenue; thence northerly along said prolongation and center line of Baldwin Avenue to the center line of Bessie Avenue; thence southeasterly along the center line of Bessie Avenue to the center line of Shirley Avenue; thence northerly along the center line of Shirley Avenue to the center line of Gidley Street; thence northwesterly along the center line of Gidley Street to the center line of Baldwin Avenue; thence northeasterly along the center line of Baldwin Avenue to the center line of Lower Azusa Road; thence easterly along the center line of Lower Azusa Road to the center line of Cedar Avenue; thence northeasterly along the center line of Cedar Avenue to the southerly boundary of the City of Arcadia as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said city at or near the westerly line of Sixth Avenue; thence northeasterly in a direct line to an angle point in the boundary of said last mentioned city at or near the easterly line of Sixth Avenue; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fiftieth Assembly District.

51 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the easterly boundary of the City of Los Angeles, as same existed on March 1, 1951 with the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Gage Avenue, thence northerly along the center line of Gage Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Geraghty Avenue; thence northerly along the center line of Geraghty Avenue to the center line of Dobinson Street; thence southeasterly along the center line of Dobinson Street to the center line of Hazard Avenue; thence southerly along the center line of Hazard Avenue to the center line of Folsom Street; thence easterly along the center line of Folsom Street to the center line of Brannick Avenue; thence northerly along the center line of Brannick Avenue to the center line of Blanchard Street; thence southeasterly along the center line of Blanchard Street to the center line of Eastern Avenue; thence northerly along the center line of Eastern Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of McBride Avenue; thence southerly along the center line of McBride Avenue and the southerly prolongation thereof to the center line of Floral Drive; thence easterly along the center line of Floral Drive, the easterly prolongation of said Floral Drive and the center line of Floral Drive to the center line of Roscommon Avenue; thence southerly along the center line of Roscommon Avenue to the center

line of Brooklyn Avenue; thence easterly and southeasterly along the center line of Brooklyn Avenue to the center line of Riggin Avenue; thence southeasterly along the center line of Riggin Avenue to the westerly boundary of Monterey Park, as same existed on above mentioned date; thence southerly and easterly along the boundary of aforesaid City of Monterey Park to its first intersection with the westerly boundary of the City of Montebello, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Lincoln Avenue; thence northeast in a direct line to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard to the center line of Rosemead Boulevard; thence southwesterly along the center line of Rosemead Boulevard to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Norwalk Boulevard; thence southeasterly and southerly along the center line of Norwalk Boulevard to the center line of Los Nietos Road; thence southeasterly along the center line of Los Nietos Road to the center line of Santa Fe Springs Road; thence southwesterly along the center line of Santa Fe Springs Road to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (main line, Los Angeles to San Diego); thence southerly along the center line of said right of way to the center line of Lakeland Road; thence easterly along the center line of Lakeland Road to the center line of Carmenita Road, thence southerly along the center line of Carmenita Road to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Luitwieler Avenue to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to its first intersection with the boundary of the County of Los Angeles; thence southerly along the boundary of the County of Los Angeles and following the same in all its various courses to the northerly boundary of the City of Long Beach, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at the intersection of the southwesterly line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the surveyor of said county, and the easterly prolongation of the southerly line of Tract No 5023, as shown on map recorded in Book 58, page 1 of Maps, in the office of the recorder of said county; thence due east to the center line of the official bed of the San Gabriel River; thence northerly along the center line of said river and following the same in all its various courses to the center line of Anaheim Telegraph Road; thence northwesterly along the center line of Anaheim Telegraph Road to a point due south of the most southerly corner of the City of Montebello, as same existed on above mentioned date; thence due north to the boundary of said city; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church Road; thence northeasterly along said southeasterly line of Church Road and the northeasterly prolongation thereof to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (main line, Los Angeles to San Diego); thence northwesterly along the center line of said right of way to the first intersection with the southeasterly boundary of the City of Vernon as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the aforesaid City of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-first Assembly District.

52 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the City of Vernon, as same existed March 1, 1951, at or near the northwesterly corner of 25th and Alameda Streets, said point of beginning being also an angle point in the boundary of the City of Los Angeles as same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in aforesaid City of Vernon at or near the northeasterly corner of Lot 16, of Tract No. 8626, as shown on map recorded in Book 121, pages 96 to 100, of Maps, in the office of the Recorder of the County of Los Angeles; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Main Line, Los Angeles to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church Road; thence southwesterly along said northeasterly prolongation of Church Road to its first intersection with the boundary of the City of Montebello, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner thereof; thence due south to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of Stoakes Avenue; thence southwesterly along the center line

of Stoakes Avenue to the center line of Gallatin School House Road; thence northwesterly along the center line of Gallatin School House Road to the center line of Downey Avenue; thence southwesterly along the center line of Downey Avenue to the center line of Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Brock Avenue; thence northwesterly in a direct line to the intersection of the center lines of Paramount Boulevard and Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Southern Avenue; thence westerly along the center line of Southern Avenue to the center line of Rayo Avenue; thence southwesterly along the center line of Rayo Avenue to the center line of Atlantic Avenue; thence southerly along the center line of Atlantic Avenue to the center line of Tweedy Boulevard; thence westerly along the center line of Tweedy Boulevard to the first intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard; thence westerly along the center line of Tweedy Boulevard to the center line of Santa Fe Avenue; thence southerly along the center line of Santa Fe Avenue to an angle point in the boundary of aforesaid City of South Gate, near the center line of Santa Fe Avenue and the southerly line of Tweedy Boulevard; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Firestone Boulevard; thence westerly along the center line of Firestone Boulevard to the center line of Alameda Street; thence northerly along the center line of Alameda Street to the center line of Florence Avenue; thence easterly along the center line of Florence Avenue to the westerly boundary of the City of Huntington Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of aforesaid City of Vernon; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-second Assembly District.

53. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most westerly point in the boundary of the City of San Marino as same existed March 1, 1951; thence easterly along the northerly boundary of said city and following the same in all its various courses to its first intersection with the boundary of the City of San Gabriel as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive; thence easterly along the center line of Las Tunas Drive to its first intersection with the westerly boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Cedar Avenue; thence southerly along the center line of Cedar Avenue to the center line of Lower Azusa Road; thence westerly along the center line of Lower Azusa Road to the center line of Baldwin Avenue; thence southwesterly along the center line of Baldwin Avenue to the center line of Gidley Street; thence southeasterly along the center line of Gidley Street to the center line of Shirley Avenue; thence southwesterly along the center line of Shirley Avenue to the center line of Bessie Avenue; thence northwesterly along the center line of Bessie Avenue to the center line of Baldwin Avenue; thence southwesterly and southerly along the center line of Baldwin Avenue and the southerly prolongation thereof to the center line of Pacific Electric Railway Company's right of way; thence westerly along the center line of said right of way to the northerly prolongation of the center line of Potrero Avenue; thence southerly along said prolongation and along the center line of Potrero Avenue to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Fremont Avenue; thence northwesterly along the center line of Fremont Avenue to the center line of Hellman Avenue; thence westerly along the center line of Hellman Avenue to the westerly boundary of the City of Alhambra as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to its first intersection with the boundary of the City of San Marino as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning shall constitute the Fifty-third Assembly District.

54. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most southerly corner of the City of Glendale as the same existed on March 1, 1951, said southerly corner lying on the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line) being also an angle point in the boundary of the City of Los Angeles, as the same existed on the above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point therein; said angle point being the northerly terminus of the westerly boundary of the City of South Pasadena, as the same existed on above mentioned date; thence easterly along the boundary of the City of South Pasadena, and following the same in all its various

courses to the first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of the City of Los Angeles, and following the same in all its various courses to the center line of the Southern Pacific Railroad Company's right of way (Main Line); thence westerly along the center line of said Southern Pacific Railroad Company's right of way to the southeasterly prolongation of the center line of Endicott Street; thence northwesterly along the southeasterly prolongation of the center line of Endicott Street and the center line of Endicott Street to the center line of Lombardy Boulevard; thence northwesterly along the center line of Lombardy Boulevard to the center line of Eastern Avenue, thence northerly along the center line of Eastern Avenue to the center line of the Pacific Electric Railway Company's right of way (in Huntington Drive); thence westerly along the center line of said last mentioned Pacific Electric Railway Company's right of way to the center line of Topaz Street; thence northwesterly along the center line of Topaz Street to the center line of Galena Street; thence northerly along the center line of Galena Street to the center line of Sardonyx Street; thence northerly along the center line of Sardonyx Street to the center line of Mercury Avenue; thence easterly along the center line of Mercury Avenue to the center line of Boundary Avenue; thence northerly along the center line of Boundary Avenue to the northerly Patent boundary line of the City of Los Angeles; thence westerly along said northerly Patent boundary line and its westerly prolongation to the center line of Avenue 45, thence northwesterly along the center line of Avenue 45 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Avenue 44, lying between Figueroa Street and Marmion Way; thence northwesterly along the center line of Avenue 44 and its northwesterly prolongation to the center line of Marmion Way; thence southwesterly along the center line of Marmion Way to the center line of Arroyo Seco Avenue; thence southwesterly along the center line of Arroyo Seco Avenue to the center line of Avenue 37; thence northwesterly along the center line of Avenue 37 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Amabel Street, thence northwesterly along the center line of Amabel Street to the center line of Isabel Street; thence westerly along the center line of Isabel Street to the center line of Bank Street; thence southwesterly along the center line of Bank Street to the center line of Avenue 30; thence northwesterly along the center line of Avenue 30 to the center line of Division Street; thence southwesterly along the center line of Division Street and its southwesterly prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line); thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of that portion of Granada Street lying between Cypress Avenue and San Fernando Road; thence southwesterly along said last mentioned prolongation to the center line of the Official Bed of the Los Angeles River; thence northwesterly along the center line of said Los Angeles River to the northeasterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation and center line of Dallas Street to the center line of Riverside Drive; thence northwesterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Tyburn Street; thence northeasterly along said prolongation and center line of Tyburn Street to the point of beginning, shall constitute the Fifty-fourth Assembly District

55. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Florence Avenue and Main Street; thence easterly along the center line of Florence Avenue to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the center line of Firestone Boulevard; thence southeasterly along the center line of Firestone Boulevard to the westerly boundary of the City of South Gate, as same existed on March 1, 1951; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at or near the intersection of the center line of Santa Fe Avenue and the south line of Tweedy Boulevard; thence due north to the center line of Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the first intersection with the northwesterly boundary of the City of Lynwood, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the center line of Atlantic Avenue; thence southerly along the center line of Atlantic Avenue to the intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date; thence easterly and southerly along the boundary of said last mentioned city to an angle point therein, said angle point being also in the center line of Imperial Highway; thence westerly along the center line of Imperial Highway and following the same in all its various courses to the westerly boundary of the City of Lynwood, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the intersection with the boundary of the City

of Compton, as same existed on above mentioned date, said point of intersection being at or near the center line of Alameda Street; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Avenue, thence northerly along the center line of Wilmington Avenue to an angle point in the boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of El Segundo Boulevard; thence westerly along the center line of El Segundo Boulevard to the center line of Avalon Boulevard, thence northerly along the center line of Avalon Boulevard to the boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Athens Way (westerly roadway); thence northerly along the center line of Athens Way to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Athens Way; thence northerly along the center lines of Athens Way and Broadway to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Main Street; thence northerly along the center line of Main Street to the point of beginning, shall constitute the Fifty-fifth Assembly District.

56. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 36, Township 1 North, Range 14 West, S. B. B & M.; thence easterly along section lines to the center line of the Los Angeles River; thence southerly along the center line of said Los Angeles River to the westerly prolongation of the center line of Chevy Chase Drive, thence easterly along said westerly prolongation and the center line of Chevy Chase Drive to the westerly boundary of the City of Glendale, as same existed on March 1, 1951; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Tyburn Street; thence southwesterly along the center line of Tyburn Street and the southwesterly prolongation thereof to the center line of Riverside Drive; thence southeasterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation to the center line of Chavez Ravine Drive, thence southeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the center line of Elysian Park Drive; thence southwesterly along the center line of Elysian Park Drive and the southwesterly prolongation thereof to the center line of Scott Avenue (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No 37351 of the City of Los Angeles); thence southwesterly along the center line of Scott Avenue to the center line of Portia Street; thence southwesterly along the center line of Portia Street to the northwesterly prolongation of the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6, of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence southeasterly along said last mentioned prolongation and center line of said alley to the center line of Sutherland Street; thence southwesterly along the center line of Sutherland Street to the center line of Macbeth Street; thence southeasterly along the center line of Macbeth Street to the center line of Quintero Street; thence southwesterly along the center line of Quintero Street to the center line of Sunset Boulevard; thence northwesterly along the center line of Sunset Boulevard to the center line of Glendale Boulevard; thence southerly along the center line of Glendale Boulevard to the northwesterly prolongation of the center line of Second Street; thence southeasterly along said northwesterly prolongation and center line of Second Street to the southwesterly prolongation of the center line of Boylston Street; thence southwesterly along said prolongation of the center line of Boylston Street to the easterly prolongation of the center line of Huntley Drive; thence westerly along said prolongation and center line of Huntley Drive to the center line of Boylston Street; thence southwesterly along the center line of Boylston Street to the center line of Sixth Street; thence southeasterly along the center line of Sixth Street and the southeasterly prolongation thereof to the center line of the Harbor Parkway; thence southwesterly along the center line of the Harbor Parkway to the center line of Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Alvarado Street; thence northeasterly along the center line of Alvarado Street to the center line of Seventh Street; thence northwesterly along the center line of Seventh Street to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Beverly Boulevard; thence westerly along the center line of Beverly Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the center line of Los Feliz Boulevard; thence northeasterly along the center line of Los Feliz Boulevard to the southwesterly prolongation of the center line of a private street known as Fern Dell Drive; thence northeasterly along said prolongation and center line of Fern Dell Drive and the northerly prolongation thereof to the southerly boundary of Griffith Park; as shown on County

Surveyor's Map No. 2325 on file in the office of the Surveyor of said county; thence westerly and northerly along the boundary of Griffith Park to the point of beginning, shall constitute the Fifty-sixth Assembly District.

57. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Van Nuys Boulevard and Riverside Drive; thence easterly along the center line of Riverside Drive and following the same in all its various courses to the westerly boundary of the City of Burbank as same existed on March 1, 1951; thence southeasterly along the westerly boundary of said City of Burbank to the most southerly corner of said city, being a point in the easterly line of the Rancho Ex-Mission de San Fernando as shown on map recorded in Book 1, page 605, of Patents in the office of the Recorder of the County of Los Angeles; thence southerly along said last mentioned easterly line and following the same in all its various courses to the northerly line of Section 34, Township 1 North, Range 14 West, S. B. B. & M.; thence easterly along section lines to the westerly boundary of Griffith Park as shown on County Surveyor's Map No. 2325 on file in the office of the Surveyor of said County; thence southerly and easterly along the boundary of said Griffith Park to the center line of a private street known as Fern Dell Drive; thence southerly along the center line of said Fern Dell Drive to the center line of Los Feliz Boulevard; thence southwesterly along the center line of Los Feliz Boulevard to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Melrose Avenue; thence westerly along the center line of Melrose Avenue to the center line of Cahuenga Boulevard; thence northerly along the center line of Cahuenga Boulevard to the center line of Sunset Boulevard; thence westerly along the center line of Sunset Boulevard to the center line of Hayworth Avenue; thence southerly along the center line of Hayworth Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence easterly along said last mentioned boundary of the City of Los Angeles and following the same in all its various courses to the first intersection with the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the boundary of said City of Los Angeles; thence westerly along said last mentioned boundary and following the same in all its various courses to the easterly boundary of the City of Beverly Hills as same existed on above mentioned date; thence northerly along said last mentioned boundary and following the same in all its various courses to the northerly terminus of the most westerly line of said last mentioned boundary, being an angle point in the southerly line of fractional Section 11, Township 1 South, Range 15 West, S. B. B. & M.; thence westerly along section lines to the southwesterly corner of fractional Section 10, said township and range, being a point in the northeasterly boundary of the Rancho San Vicente y Santa Monica as shown on map recorded in Book 3, pages 30 and 31, of Patents in the office of the recorder of said county; thence northwesterly along said last mentioned boundary to the southerly boundary of that certain territory annexed to said City of Los Angeles, and known as the San Fernando Addition; said point being also the northwest corner of Fractional Section 33, Township 1 North, Range 15 West, S. B. B. & M.; thence northeasterly along a direct line to the intersection of the center lines of Oakfield Drive and Van Nuys Boulevard; thence northwesterly along the center line of Van Nuys Boulevard and following the same in all its various courses to the point of beginning, shall constitute the Fifty-seventh Assembly District.

58. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Sunset Boulevard and Hayworth Avenue; thence easterly along the center line of Sunset Boulevard to the center line of Cahuenga Boulevard; thence southerly along the center line of Cahuenga Boulevard to the center line of Melrose Avenue; thence easterly along the center line of Melrose Avenue to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Beverly Boulevard; thence easterly along the center line of Beverly Boulevard to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to the center line of Seventh Street; thence easterly along the center line of Seventh Street to the center line of Westmoreland Avenue; thence southerly along the center line of Westmoreland Avenue to the center line of Ninth Street; thence westerly along the center line of Ninth Street to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of West Boulevard; thence northeasterly along the center line of West Boulevard and its northeasterly prolongation to the center line of the Pacific Electric Co.'s right of way (in San Vicente Boulevard); thence northwesterly along the center line of said right of way to the center line of Stanley Avenue; thence northeasterly along the center line of Stanley Avenue to the center line of Wilshire Boulevard; thence westerly along the center line of Wilshire Boulevard to the center line of Fairfax Avenue; thence northerly along the center line of Fairfax Avenue to Third Street; thence easterly along the center

line of Third Street to the center line of La Brea Avenue; thence northerly along the center line of La Brea Avenue to the center line of Willoughby Avenue; thence westerly along the center line of Willoughby Avenue to the boundary of the City of Los Angeles as same existed March 1, 1951, said boundary being on the center line of Willoughby Avenue; thence westerly along the boundary of said last mentioned city to the center line of Fairfax Avenue; thence northerly along the center line of Fairfax Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hayworth Avenue; thence northerly along the center line of Hayworth Avenue to the point of beginning, shall constitute the Fifty-eighth Assembly District.

59 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Beverly Glen Boulevard and the northerly boundary of the Rancho San Jose De Buenos Ayres, as shown on map recorded in Book 26, pages 19 to 25, inclusive, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northeasterly along said boundary to the southwesterly corner of Fractional Section 10, Township 1 South, Range 15 West, S. B. B. & M.; thence southeasterly along the southwesterly line of said section and easterly along section lines to the northerly boundary of the City of Beverly Hills, as same existed on March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to the intersection with the boundary of the City of Los Angeles, as same existed on above mentioned date, said point of intersection being at or near the center line of Doheny Drive and south of Beverly Boulevard; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in San Vicente Boulevard; thence southeasterly along the center line of said right of way to the center line of La Cienega Boulevard; thence due west from the center line of La Cienega Boulevard to the easterly boundary of the City of Beverly Hills, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Robertson Boulevard (south of Whitworth Drive); thence southerly along the center line of Robertson Boulevard to the center line of Adams Boulevard, thence westerly along the center line of Adams Boulevard and following the same in all its various courses to its westerly terminus, as shown on map of Tract No 14212, recorded in Book 308, pages 30 to 32, of Maps, in the office of said recorder; thence northwesterly in a direct line to the intersection of the center lines of Adams Boulevard and Beverly Drive; thence westerly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverwil Drive; thence northerly along the center line of Beverwil Drive to the easterly prolongation of the southerly line of Tract No 13945, as shown on map recorded in Book 338, pages 43 and 44, of said Maps; thence westerly along said prolongation and southerly line of Tract No 13945 to the center line of Anchor Avenue; thence northerly along the center line of Anchor Avenue and following the same in all its various courses to the center line of Monte Mar Place, then southwesterly along the center line of Monte Mar Place to the center line of Monte Mar Terrace; thence northwesterly along the center line of Monte Mar Terrace to the center line of McConnell Drive; thence northwesterly along the center line of McConnell Drive to the center line of Monte Mar Drive; thence southwesterly along the center line of Monte Mar Drive to the center line of Lorenzo Drive; thence southeasterly along the center line of Lorenzo Drive to the center line of Motor Avenue; thence southeasterly along the center line of Motor Avenue and following the same in all its various courses to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said last mentioned city boundary; said point being in the northwesterly prolongation of the northeasterly line of Bledsoe Avenue; thence northwesterly along said last mentioned prolongation to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard); thence southwesterly along the center line of said last mentioned right of way to the center line of Centinela Avenue, thence northwesterly along the center line of Centinela Avenue and Bundy Drive to a point due east of the most easterly corner of the City of Santa Monica, as same existed on above mentioned date; thence due west to said corner; thence along the boundary of said city and following the same in all its various courses to the center line of Santa Monica Boulevard; thence northeasterly along the center line of Santa Monica Boulevard to the center line of Manning Avenue; thence northwesterly along the center line of Manning Avenue to the center line of Wilshire Boulevard; thence northeasterly along the center line of Wilshire Boulevard to the center line of Beverly Glen Boulevard; thence northwesterly along the center line of Beverly Glen Boulevard to the point of beginning, shall constitute the Fifty-ninth Assembly District

60. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northwesterly boundary of the County of Los Angeles and the north line of Section 8, Township 1 South, Range 19 West, S. B. B. & M.; thence easterly along section lines to the northeast corner of Section 11, said last mentioned township and range; thence southerly along the easterly line of last mentioned section to the northwesterly corner of Section 13, said last mentioned township and range; thence easterly and southerly along the northerly and easterly lines of said last mentioned section to the northwesterly corner of Section 19, Township 1 South, Range 18 West, S. B. B. & M.; thence easterly along section lines to the first intersection with the boundary of the City of Los Angeles, as same existed March 1, 1951, thence northeasterly along the boundary of said city to the southerly boundary of the San Fernando Addition to said city; thence easterly along the southerly boundary of said addition to the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in Book 3, pages 30 and 31, of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho, and following the same in all its various courses to the center line of Beverly Glen Boulevard; thence southerly along the center line of Beverly Glen Boulevard to the center line of Wilshire Boulevard; thence southwesterly along the center line of Wilshire Boulevard to the center line of Manning Avenue; thence southerly along the center line of Manning Avenue to the center line of the Pacific Electric Railway Company's right of way (in Santa Monica Boulevard); thence southwesterly along the center line of said last mentioned right of way and the center line of Santa Monica Boulevard to the northeasterly boundary of the City of Santa Monica, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Lincoln Boulevard; thence northwesterly along the center line of Lincoln Boulevard to the center line of Pico Boulevard; thence southwesterly along the center line of Pico Boulevard and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles, thence northwesterly along the boundary of said county, and following the same in all its various courses to the point of beginning, shall constitute the Sixtieth Assembly District.

61. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the boundary of the City of Los Angeles, as same existed on March 1, 1951 and the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence easterly along the boundary of said City of Los Angeles and following the same in all its various courses to an angle point in said last mentioned boundary, being the intersection of the center line of Willoughby Avenue and the southerly prolongation of the westerly line of Tract No. 4885, as shown on map recorded in Book 45, page 87, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the center line of Willoughby Avenue to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of Third Street; thence westerly along the center line of Third Street and following the same in all its various courses to the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the center line of Wilshire Boulevard; thence easterly along the center line of Wilshire Boulevard to the center line of Stanley Avenue; thence southerly along the center line of Stanley Avenue and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way (in San Vicente Boulevard); thence southwesterly along the center line of said last right of way to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of the Pacific Electric Railway Co.'s right of way (in Exposition Boulevard); thence westerly along the center line of said last mentioned right of way to the center line of Jefferson Boulevard; thence southerly along the center line of Jefferson Boulevard to the center line of Moynier Lane; thence southerly along the center line of Moynier Lane to the easterly boundary of said City of Culver City, as same existed on above mentioned date; thence southerly along last mentioned easterly boundary and following the same in all its various courses to the center line of La Cienega Boulevard; thence southerly along the center line of said La Cienega Boulevard and following the same in all its various courses to the northerly boundary of said City of Los Angeles; thence westerly along the boundary of said City of Los Angeles and following the same in all its various courses to the center line of Pershing Drive; thence southeasterly along the center line of Pershing Drive to the center line of Culver Boulevard; thence southwesterly along the center line of Culver Boulevard and following the same in all its various courses and the southwesterly prolongation thereof to the southwesterly boundary of said county; thence northwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Pico Boulevard; thence northeasterly along the center line of Pico Boulevard to the center line of Lincoln Boulevard; thence southeasterly along the center line of Lincoln Boulevard to the southwesterly boundary of the City of Santa Monica,

as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northeasterly corner of said last mentioned city; thence due east to the center line of Bundy Drive; thence southeasterly along the center line of Bundy Drive and the center line of Centinela Avenue to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard); thence northeasterly along the center line of said last mentioned right of way to the northwesterly prolongation of the northeasterly line of Bledsoe Avenue; thence southeasterly along said last mentioned prolongation to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the center line of Motor Avenue; thence northerly along the center line of Motor Avenue and following the same in all its various courses to the center line of Lorenzo Drive; thence westerly along the center line of Lorenzo Drive to the center line of Monte Mar Drive; thence northeasterly along the center line of Monte Mar Drive and following the same in all its various courses to the center line of McConnell Drive; thence easterly along the center line of McConnell Drive and following the same in all its various courses to the center line of Monte Mar Terrace; thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Monte Mar Place; thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Anchor Avenue; thence southerly along last mentioned center line to the southerly line of Tract No. 13945, as shown on map recorded in Book 338, pages 43 and 44, of Maps, in the office of said recorder; thence easterly along last mentioned southerly line and its easterly prolongation to the center line of Beverwil Drive; thence southerly along the center line of Beverwil Drive and following the same in all its various courses to the center line of Adams Boulevard; thence easterly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverly Drive; thence southeasterly in a direct line to the most westerly terminus of Adams Boulevard, as shown on map of Tract No. 14212, recorded in Book 308, pages 30 to 32, inclusive, of said Maps; thence easterly along last mentioned center line of Adams Boulevard and following the same in all its various courses to the center line of Robertson Boulevard; thence northerly along the center line of Robertson Boulevard and following the same in all its various courses to the southerly boundary of said City of Beverly Hills, as same existed on above mentioned date; thence easterly and northerly along last mentioned boundary of said City of Beverly Hills and following the same in all its various courses to the center line of La Cienega Boulevard; thence due north to the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence northwesterly along the center line of said last mentioned right of way to the point of beginning, shall constitute the Sixty-first Assembly District.

62. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Union Avenue and Eighth Street; thence southeasterly along the center line of Eighth Street, and following the same in all its various courses to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence southeasterly along the center line of Ninth Street to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the boundary of the City of Los Angeles, as same existed March 1, 1951; thence westerly and southerly along the boundary of said city to an angle point in said boundary, said mentioned angle point being at or near the intersection of the center lines of Alameda Street and the Atchison, Topeka & Santa Fe Railway Company's right of way (Redondo Branch), said mentioned angle point being also a point in the southerly boundary of the City of Vernon, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city to its first intersection with the westerly boundary of the City of Huntington Park, as same existed on above mentioned date, thence southerly along the westerly boundary of said last mentioned city and following the same in all its various courses to the intersection with the center line of Florence Avenue; thence westerly along the center line of Florence Avenue to the center line of Main Street; thence northerly along the center line of Main Street to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of Broadway; thence northerly along the center line of Broadway to the center line of Broadway Place; thence northeasterly along the center line of Broadway Place to the center line of 39th Street; thence northwesterly along the center line of 39th Street to the center line of Flower Drive; thence northerly along the center line of Flower Drive to the center line of 38th Street; thence westerly along the center line of 38th Street to the center line of Figueroa Street; thence northerly and northeasterly along the center line of Figueroa Street to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Union

Avenue; thence northeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence southeasterly along the center line of Venice Boulevard to the center line of Union Avenue; thence northeasterly along the center line of Union Avenue to the point of beginning, shall constitute the Sixty-second Assembly District.

63 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of La Brea Avenue and the Pacific Electric Railway Company's right of way (in San Vincente Boulevard); thence southeasterly along the center line of said right of way to the center line of West Boulevard; thence southerly along the center line of West Boulevard to the center line of Washington Boulevard, thence easterly along the center line of Washington Boulevard to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to the center line of the Los Angeles Railway Company's right of way (in Santa Barbara Avenue); thence westerly along said last mentioned center line and following the same in all its various courses to the center line of Hyde Park Boulevard; thence westerly along said center line of Hyde Park Boulevard to the easterly boundary of the City of Inglewood, as same existed on March 1, 1951; thence northerly along said boundary of said last mentioned city and following the same in all its various courses to the center line of La Cienega Boulevard; as shown on map of Tract No 14461, recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of said county; thence northerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along last mentioned boundary to the center line of La Cienega Boulevard, as shown on County Surveyor's Map No B-1914, Sheet 1, on file in the office of the Surveyor of said county; thence northerly along last mentioned center line and following the same in all its various courses to the southerly boundary of the City of Culver City, as same existed on above mentioned date; thence easterly along said boundary of the City of Culver City and following the same in all its various courses to the center line of Moynier Lane; thence northeasterly along the center line of Moynier Lane to the center line of Jefferson Boulevard; thence northerly along the center line of Jefferson Boulevard to the intersection with the center line of the Pacific Electric Railway Company's right of way (Santa Monica Air Line); thence southeasterly along the center line of said last mentioned right of way to the center line of La Brea Avenue; thence northeasterly along the center line of La Brea Avenue and following the same in all its various courses to the point of beginning, shall constitute the Sixty-third Assembly District

64. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northerly line of Section 8, Township 1 South, Range 19 West, S. B B. & M., and the northwesterly boundary of the County of Los Angeles; thence northeasterly along the boundary of said County and following the same in all its various courses to the northerly line of Fractional Section 33, Township 2 North, Range 17 West, S B B & M; thence easterly along section lines to the westerly boundary of the City of Los Angeles, as the same existed on March 1, 1951; thence southerly along the boundary of said City of Los Angeles to the westerly prolongation of the center line of the most westerly portion of Roscoe Boulevard; thence easterly along said prolongation and center line of Roscoe Boulevard to the center line of the Southern Pacific Railroad Company's right of way (Coast Line); thence southeasterly along the center line of said right of way to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue and the southerly prolongation thereof and the center line of Coldwater Canyon Avenue to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Van Nuys Boulevard; thence southerly along the center line of Van Nuys Boulevard and following the same in all its various courses to the center line of Oakfield Drive; thence southwesterly along a direct line to the northwesterly corner of Fractional Section 33, Township 1 North, Range 15 West, S. B B & M., said point being also in the southerly boundary of that certain territory annexed to the City of Los Angeles, and known as the San Fernando Addition; thence westerly along the boundary of said last-mentioned addition and following the same in all its various courses to an angle point in the boundary of the City of Los Angeles as the same existed on above mentioned date, said angle point being also the most easterly corner of Fractional Section 33, Township 1 North, Range 16 West, S B B & M; thence southwesterly along the boundary of said last-mentioned city to the southerly line of Fractional Section 18, Township 1 South, Range 16 West, S B. B & M.; thence westerly along section lines to the southeast corner of Section 13, Township 1 South, Range 19 West, S. B. B. & M; thence northerly and westerly along the easterly and northerly lines of said Section 13 to the southeast corner of Section 11, said last-mentioned Township and Range; thence northerly along the easterly line of said last-mentioned section to the northeast corner thereof; thence westerly along section lines to the point of beginning, shall constitute the Sixty-fourth Assembly District.

65. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Ninth Street and Western Avenue; thence easterly along the center line of Ninth Street to the center line of Westmoreland Avenue; thence northerly along the center line of Westmoreland Avenue to the center line of Seventh Street; thence easterly along the center line of Seventh Street and following the same in all its various courses to the center line of Alvarado Avenue; thence southwesterly along the center line of Alvarado Avenue to the center line of Eighth Street, thence southeasterly along the center line of Eighth Street to the center line of Union Avenue; thence southeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence northwesterly along the center line of Venice Boulevard to the center line of Union Avenue; thence southwesterly along the center line of Union Avenue to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Figueroa Street; thence southwesterly and southerly along the center line of Figueroa Street to the center line of 38th Street; thence easterly along the center line of 38th Street to the center line of Flower Drive; thence southerly along the center line of Flower Drive to the center line of 39th Street; thence southeasterly along the center line of 39th Street to the center line of Broadway Place; thence southwesterly along the center line of Broadway Place to the center line of Broadway; thence southerly along the center line of Broadway to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of the Los Angeles Railway Company's right of way (in Crenshaw Boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the point of beginning, shall constitute the Sixty-fifth Assembly District.

66. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Slauson Avenue and the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence easterly along the center line of Slauson Avenue to the center line of Main Street; thence southerly along the center line of Main Street to the center line of 94th Street; thence westerly along the center line of 94th Street to the easterly boundary of the City of Inglewood, as same existed March 1, 1951; thence northerly along the boundary of said city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch); thence southwesterly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Manchester Avenue; thence westerly along the center line of Manchester Avenue and following the same in all its various courses to the center line of Vista Del Mar; thence southwesterly on a southwesterly prolongation of the center line of Manchester Avenue to the center line of Trolley Way; thence northerly along the center line of Trolley Way to the northeasterly prolongation of the center line of Surf Street; thence southwesterly along said prolongation, the center line of Surf Street and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said county to the southwesterly prolongation of the center line of that portion of Culver Boulevard lying between Trolley Way and Ocean Front Walk; thence northeasterly along said southwesterly prolongation and center line of Culver Boulevard and following the same in all its various courses to the center line of Pershing Drive (from the northwest); thence northwesterly along the center line of Pershing Drive to the northwesterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said city and following the same in all its various courses to the center line of La Cienega Boulevard, said center line being at the intersection with the northerly boundary of Tract No. 14461, as shown on map recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of the County of Los Angeles; thence southerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Inglewood, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hyde Park Boulevard; thence easterly along the center line of Hyde Park Boulevard to the center line of the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence northerly along the center line of said right of way to the point of beginning, shall constitute the Sixty-sixth Assembly District.

67. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of 94th Street and the easterly boundary of the City of Inglewood as same existed March 1, 1951; thence easterly along the center line of 94th Street to the easterly boundary of the City of Los

Angeles (in Normandie Avenue); thence southerly along the boundary of said last mentioned city to the center line of 94th Street; thence easterly along the center line of 94th Street to the westerly boundary of said last mentioned city (in Vermont Avenue); thence northerly along the boundary of said city to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Broadway; thence southerly along the center lines of Broadway and Athens Way to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Athens Way (westerly roadway); thence southerly along the center line of Athens Way to the southerly boundary of the said last mentioned City of Los Angeles; thence easterly along the boundary of said last mentioned city to the center line of Avalon Boulevard; thence southerly along the center line of Avalon Boulevard to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of San Pedro Street; thence southerly along the center lines of San Pedro Street and Avalon Boulevard to the center line of 165th Street; thence westerly along the center line of 165th Street to the center line of Main Street; thence southerly along the center line of Main Street to the center line of Victoria Street; thence southwesterly along the center line of Victoria Street to the easterly boundary of the said last mentioned City of Los Angeles, thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of 190th Street; thence southwesterly and westerly along the center line of 190th Street to the easterly boundary of the City of Torrance as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of the City of Redondo Beach as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the center line of Flogler Lane, said point being also at or near the intersection of the center lines of Beryl Street and Flogler Lane; thence northerly along the center line of Flogler Lane to the center line of Redondo Beach Boulevard; thence westerly along the center line of Redondo Beach Boulevard to an angle point in the southeasterly boundary of the City of Manhattan Beach, as same existed on above mentioned date, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of El Segundo as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the easterly boundary of the City of Los Angeles (in Freeman Avenue) as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie Avenue; thence northerly along the center line of Prairie Avenue to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the westerly boundary of the City of Inglewood as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwesterly corner of Crenshaw Boulevard and Imperial Highway; thence due south to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Van Ness Avenue; thence northerly along the center line of Van Ness Avenue to the southerly boundary of the said last mentioned City of Inglewood; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the Sixty-seventh Assembly District.

68. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Torrance, as same existed March 1, 1951, said angle point being at or near the intersection of the center lines of Redondo Beach Boulevard and Hawthorne Avenue; thence northeasterly along the boundary of said city and following the same in all its various courses to the center line of 190th Street; thence easterly and northeasterly along the center line of 190th Street to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to its first intersection with the southeasterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Victoria Street; thence northeasterly along the center line of Victoria Street to the center line of Main Street; thence northerly along the center line of Main Street to the center line of 165th Street; thence easterly along the center

line of 165th Street to the center line of Avalon Boulevard; thence northerly along the center lines of Avalon Boulevard and San Pedro Street to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to the center line of Central Avenue (from the south), thence southerly along the center line of Central Avenue to the center line of 168th Street; thence easterly along the center line of 168th Street to the southerly prolongation of the center line of Northwood Avenue; thence northerly along said prolongation to an angle point in the City of Compton, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city to the first intersection with the westerly boundary of the City of Long Beach, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the easterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the southwesterly boundary of the City of Los Angeles, as same existed on above mentioned date, thence northeasterly along said last mentioned boundary and following the same in all its various courses to an angle point in said last mentioned boundary, said point being at or near the northwest corner of Tract No. 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due west to the center line of Western Avenue; thence northerly along the center line of Western Avenue to its intersection with the southerly line of Tract No. 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles; thence westerly along the southerly boundaries of said last mentioned tract and Tract No 3377, as shown on map recorded in Book 37, page 9, of Maps, in the office of the Recorder of the County of Los Angeles to the southwest corner of Lot 111, said last mentioned tract; thence southwesterly and westerly along the easterly and southerly lines of Tract No 954, as shown on maps recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles to the southwesterly corner of said last mentioned tract, said corner being also on the boundary line of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Street; thence northerly along the center line of Wilmington Street to the center line of 242d Street; thence easterly along the center line of 242d Street to the center line of Newton Street; thence northwesterly along the center line of Newton Street to the center line of Pacific Coast Highway; thence northwesterly along the center line of Pacific Coast Highway to the easterly boundary of the City of Torrance, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the southeasterly corner of Block 70, Tract No. 10019, as shown on map recorded in Book 182, pages 1 to 13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of the City of Redondo Beach, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in the boundary of the City of Torrance, as same existed on above mentioned date, at or near the intersection of Beryl Street and Flagler Lane; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Sixty-eighth Assembly District.

69. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Avalon Boulevard and El Segundo Boulevard; thence easterly along the center line of Avalon Boulevard to a point in the westerly boundary of the City of Compton, as same existed on March 1, 1951, said point being also at or near the intersection of the center line of El Segundo Boulevard and the east line of Central Avenue; thence northerly along the boundary of the aforesaid City of Compton and following the same in all its various courses to an angle point therein, said angle point being also at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence southerly along the center line of Wilmington Avenue to a point in the boundary of aforesaid City of Compton, said point being at or near the intersection of the center line of Wilmington Avenue and the north line of Cressey Street; thence northeasterly along the boundary of aforesaid City of Compton and following the same in all its various courses to the southerly boundary of the City of Lynwood, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway and following the same in all its various courses to an angle point in the easterly boundary of said last mentioned city; thence northerly

and westerly along the boundary of said last mentioned city to the center line of Atlantic Avenue, thence northerly along the center line of Atlantic Avenue to its intersection with the center line of Rayo Avenue; thence northeasterly along the center line of Rayo Avenue to the center line of Southern Avenue; thence easterly along the center line of Southern Avenue to its intersection with the center line of Stewart and Gray Road; thence southeasterly along the center line of Stewart and Gray Road, the easterly prolongation of the center line of Stewart and Gray Road, and the center line of Stewart and Gray Road to the center line of Downey Avenue; thence northeasterly along the center line of Downey Avenue and following the same in all its various courses to the center line of Gallatin School House Road; thence southeasterly along the center line of Gallatin School House Road to the center line of Stoakes Avenue; thence northeasterly along the center line of Stoakes Avenue to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of the official bed of the San Gabriel River; thence southwesterly along the center line of said river and following the same in all its various courses to a point due east of an angle point in the boundary of the City of Long Beach, as same existed on above mentioned date, said angle point being at the intersection of the southwest line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the Surveyor of the County of Los Angeles, with the easterly prolongation of the southerly line of Tract No. 5023, as shown on map recorded in Book 58, page 1, of Maps, in the office of the recorder of said county; thence due west to said last mentioned angle point; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northeasterly corner of Harbor Avenue and Greenleaf Drive, said angle point being on the southerly boundary of the City of Compton, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwest corner of the intersection of Northwood Avenue and 168th Street; thence due south to the center line of 168th Street; thence westerly along the center line of 168th Street to the center line of Central Avenue; thence northerly along the center line of Central Avenue to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of Avalon Boulevard; thence northerly along the center line of Avalon Boulevard to the point of beginning, shall constitute the Sixty-ninth Assembly District.

70. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Long Beach as same existed March 1, 1951, at or near the northeasterly corner of 70th Street and Orange Avenue; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the County of Los Angeles; thence southwesterly along the boundary of said county and following the same in all its various courses to the southerly prolongation of the center line of 16th Place; thence northerly along said last mentioned prolongation and center line of 16th Place to the center line of Ocean Boulevard; thence westerly along the center line of Ocean Boulevard to the center line of Cherry Avenue; thence northerly along the center line of Cherry Avenue to the center line of Fourth Street; thence westerly along the center line of Fourth Street to the center line of Orange Avenue; thence northerly along the center line of Orange Avenue to a point due west of an angle point in the boundary of said City of Long Beach at or near the northeasterly corner of 70th Street and Orange Avenue; thence due east to the point of beginning, shall constitute the Seventieth Assembly District.

71. The County of Riverside shall constitute the Seventy-first Assembly District.

72. All that portion of the County of San Bernardino within the following described boundaries:

Beginning at the intersection of the north line of Section 28, Township 3 North, Range 7 West, S. B. B & M., San Bernardino County, State of California, with the county boundary line between San Bernardino and Los Angeles Counties; thence easterly along section lines to the northeast corner of Section 27 of aforesaid Township 3 North, Range 7 West; thence southerly along section line to the southeast corner of said Section 27; thence easterly along section lines to the northeast corner of the west half of Section 31, Township 3 North, Range 6 West; thence southerly along the east line of the west half of said Section 31 to the southeast corner thereof; thence easterly along the township line between Townships 2 and 3 North to the northeast corner of Section 5, Township 2 North, Range 6 West; thence southerly along section line to the southeast corner of said Section 5; thence easterly along section line to the northeast corner of Section 9, same township and range; thence southerly along section line to the northwest corner of the south half of Section 10, same township and range; thence easterly along the north line of the south half of

said Section 10 to the northeast corner thereof; thence southerly along section line to the southeast corner of said Section 10; thence easterly along section line to the northeast corner of the west half of Section 14, same township and range; thence southerly along the east line of the west half of said Section 14 and Section 23, same township and range, to the southeast corner of the west half of said Section 23; thence easterly along section lines to the northeast corner of Section 25, same township and range; thence southerly along the range line between Ranges 5 and 6 West to the northwest corner of Section 31, Township 2 North, Range 5 West; thence easterly along section line to the northeast corner of said Section 31; thence southerly along section line to the southeast corner of said Section 31; thence westerly along township line between Townships 1 and 2 North to the northeast corner of Section 6, Township 1 North, Range 5 West; thence southerly along the east line of said Section 6 and along the extension of said line southerly to an intersection with the center line of the main channel of Lytle Creek; thence southeasterly following the center line of the main channel of said Lytle Creek to an intersection with the range line between Ranges 4 and 5 West; thence southerly along said range line to an intersection with the center line of Base Line Street; thence easterly along said Base Line Street to an intersection with the center line of Sterling Avenue; thence southerly along the center line of said Sterling Avenue to an intersection with the center line of the main channel of the Santa Ana River; thence southwesterly along the center line of the main channel of said Santa Ana River to an intersection with the county boundary line between San Bernardino and Riverside Counties; thence westerly, northerly and westerly following said boundary line between San Bernardino County and the Counties of Riverside, Orange and Los Angeles along its various courses to an intersection with the north line of aforesaid Section 28, Township 3 North, Range 7 West, S. B. B & M., being the place of beginning, shall constitute the Seventy-second Assembly District.

73. All that portion of the County of San Bernardino not included within the Seventy-second Assembly District, as fixed and defined by this section, shall constitute the Seventy-third Assembly District.

74. All that portion of the County of Orange lying south and east of the middle of the channel of the Santa Ana River shall constitute the Seventy-fourth Assembly District.

75. All that portion of the County of Orange not included in the Seventy-fourth Assembly District, as fixed and defined by this section, shall constitute the Seventy-fifth Assembly District.

76. The County of Imperial shall constitute the Seventy-sixth Assembly District.

77. All that portion of the County of San Diego, including all that portion of the City of San Diego, not included within the Seventy-eighth and Seventy-ninth Districts, as fixed and defined by the section, and included within the following described boundary lines to wit: Lying northerly and westerly of the point of intersection of the westerly prolongation of the center line of 30th Street, National City, with the shore line of the Bay of San Diego; thence running easterly along said center line of 30th Street, National City, to its intersection with the center line of Sweetwater Road (County Road Surveys Nos. 471 and 558) thence running in a general easterly direction along said center line of Sweetwater Road to its intersection with the most southwesterly boundary line of Spring Valley Precinct 5; thence running easterly along the southerly boundary lines of Spring Valley Precincts 5 and 6 to the latter's intersection with the easterly boundary line of Spring Valley Precinct 6; thence running northerly along said easterly boundary line of said Spring Valley Precinct 6 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running westerly along the northerly boundary line of said Spring Valley Precinct 6 to its intersection with the westerly boundary line of Oro Precinct 1; thence running northerly along said westerly boundary line of said Oro Precinct 1 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running in a general northerly direction along the northerly boundary lines of Spring Valley Precincts 6 and 1 to the latter's intersection with the westerly boundary line of Helix Precinct 1; thence running northerly along said westerly boundary line of Helix Precinct 1 to its intersection with the northerly boundary line of said Helix Precinct 1; thence running easterly along said northerly boundary line of Helix Precinct 1 to its intersection with the westerly boundary lines of Helix Precincts 2 and 5; thence running northerly along said westerly boundary lines of Helix Precincts 2 and 5 to the former's intersection with the easterly boundary line of Murray Precinct 1; thence running northerly and northwesterly along said easterly boundary line of Murray Precinct 1, to its intersection with the most southeasterly corner of Encinitas Township; thence running northerly, easterly and westerly along the easterly boundary lines of Encinitas, Escondido and Fallbrook Townships to the

latter's intersection with the northerly boundary line of the County of San Diego and including all of the Townships of Encinitas, Oceanside Vista, Escondido and Fallbrook as such existed on March 1, 1951, shall constitute the Seventy-seventh Assembly District.

78. All that portion of the County of San Diego included and being in the incorporated limits of the City of San Diego, as the same existed on January 1, 1941, and included within the following described boundary lines, to wit: Lying northerly and westerly of the center line of Commercial Street, at its westerly end, to wit: At the Bayshore line; thence running easterly along said center line of Commercial Street to its intersection with the center line of 25th Street; thence running northerly along said center line of 25th Street to its intersection with the center line of Imperial Avenue; thence running westerly along said center line of Imperial Avenue to its intersection with the center line of 24th Street; thence running northerly along said center line of 24th Street to its intersection with the center line of B Street; thence running westerly along said center line of B Street to its intersection with the center line of 23d Street; thence running northerly along said center line of 23d Street to its intersection with the center line of A Street; thence running easterly along said center line of A Street to its intersection with the center line of 28th Street; thence running northerly along said center line of 28th Street to its intersection with the center line of Upas Street; thence running westerly along said center line of Upas Street to its intersection with the center line of Park Boulevard; thence running northerly along said center line of Park Boulevard to its intersection with the center line of Myrtle Street; thence running easterly along said center line of Myrtle Street to its intersection with the center line of Indiana Street; thence running northerly along said center line of Indiana Street to its intersection with the center line of Cypress Street; thence running westerly along said center line of Cypress Street to its intersection with the center line of Park Boulevard, thence running northerly along said center line of Park Boulevard to its intersection with the center line of Adams Street; thence running northerly along an extension of the center line of Park Boulevard to its intersection with the center line of El Camino del Rio, thence running easterly along the center line of El Camino del Rio to its intersection with the city boundary line and except that portion of the City of San Diego lying north of a line commencing at the Pacific Ocean Shoreline and thence running easterly along the north boundary line of Precinct 56 to the intersection of said boundary line with the westerly boundary line of Precinct 54A; thence running northerly along said westerly boundary line to its intersection with the north boundary line of Precinct 53; thence running easterly along the north boundary lines of Precincts 53, 52 and 51 to the intersection of the north boundary line of Precinct 51 with its easterly boundary line, thence running southerly along said easterly boundary line of Precinct 51 to its intersection with the north boundary line of Precinct 30; thence running easterly along the north boundary lines of Precincts 30, 29 and 27 as the above enumerated precincts were defined and effective on January 1, 1950, and thence running southeasterly to the intersection of the City of San Diego limit at its intersection with Cabrillo Freeway, shall constitute the Seventy-eighth Assembly District.

79. All that portion of the County of San Diego, included and being within the incorporated limits of the City of San Diego as the same existed on January 1, 1941, which is not included within the Seventy-eighth Assembly District as fixed and defined by this section except that portion of the City of San Diego which was included in precincts designated as Kensington 1, 2, 3, and 451 to 464, inclusive, as such precincts were defined and effective upon January 1, 1950, but including that portion of Lemon Grove Precinct 1 and Greenwood Precinct lying wholly within the incorporated limits of the City of San Diego, shall constitute the Seventy-ninth Assembly District

80. All that portion of the County of San Diego, not included within the Seventy-seventh, Seventy-eighth and Seventy-ninth Assembly Districts as fixed and defined by this section, including all of the City of Coronado within its incorporated limits as the same existed on March 1, 1951 and North Island shall constitute the Eightieth Assembly District.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 41

Mr. Waters asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 41

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 42

Assembly Bill No. 42—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 471 to", and insert "repeal existing Section 470 of, and to add new Section 470 to,"

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Congressional".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "471 is added to", and insert "470 of".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ", to read:", and insert "is repealed."

Amendment No. 6

On page 1, of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC 2. Section 470 is added to said code, to read:

470. The State is divided into 30 congressional districts which are designated and constituted as follows:

1. The Counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin, Napa and Lake shall constitute the First Congressional District.

2. The Counties of Siskiyou, Shasta, Modoc, Lassen, Amador, Tehama, Butte, Sierra, Inyo, Mono, Nevada, Alpine, Mariposa, Calaveras, Tuolumne, Plumas, El Dorado, Placer and Trinity shall constitute the Second Congressional District.

3. The Counties of Glenn, Colusa, Sutter, Yuba, Yolo and Sacramento shall constitute the Third Congressional District.

4. All that portion of the City and County of San Francisco comprising the Nineteenth, Twenty-first and Twenty-second Assembly Districts shall constitute the Fourth Congressional District.

5. All that portion of the City and County of San Francisco not included in the Fourth Congressional District shall constitute the Fifth Congressional District.

6. The Counties of Solano and Contra Costa shall constitute the Sixth Congressional District.

7. All that portion of the County of Alameda comprising the Sixteenth, Seventeenth and Eighteenth Assembly districts shall constitute the Seventh Congressional District.

8. All that portion of the County of Alameda not included in the Seventh Congressional District shall constitute the Eighth Congressional District.

9 The County of San Mateo shall constitute the Ninth Congressional District.

10. The Counties of Santa Clara, Santa Cruz and San Benito shall constitute the Tenth Congressional District.

11. The Counties of San Joaquin and Stanislaus shall constitute the Eleventh Congressional District.

12. The Counties of Merced, Madera and Fresno shall constitute the Twelfth Congressional District.

13. The Counties of Monterey, San Luis Obispo, Santa Barbara and Ventura shall constitute the Thirteenth Congressional District.

14. The Counties of Kings, Tulare and Kern shall constitute the Fourteenth Congressional District.

15. All that portion of the County of Los Angeles comprising the Fifty-eighth, Sixty-third and Sixty-fifth Assembly Districts shall constitute the Fifteenth Congressional District.

16. All that portion of the County of Los Angeles comprising the Fifty-ninth and Sixtieth Assembly Districts shall constitute the Sixteenth Congressional District.

17. All that portion of the County of Los Angeles comprising the Forty-sixth, Sixty-seventh and Sixty-eighth Assembly Districts shall constitute the Seventeenth Congressional District.

18. All that portion of the County of Los Angeles comprising the Forty-fourth and Seventieth Asesmbly Districts shall constitute the Eighteenth Congressional District.

19. All that portion of the County of Los Angeles comprising the Fortieth, Forty-fifth and Fifty-first Assembly Districts shall constitute the Nineteenth Congressional District.

20. All that portion of the County of Los Angeles comprising the Forty-third and Forty-seventh Assembly Districts shall constitute the Twentieth Congressional District.

21. All that portion of the County of Los Angeles comprising the Forty-first, Forty-second and Forty-eighth Assembly Districts shall constitute the Twenty-first Congressional District.

22. All that portion of the County of Los Angeles comprising the Fifty-seventh and Sixty-fourth Assembly Districts shall constitute the Twenty-second Congressional District.

23. All that portion of the County of Los Angeles comprising the Fifty-second, Fifty-fifth and Sixty-ninth Assembly Districts shall constitute the Twenty-third Congressional District.

24. All that portion of the County of Los Angeles comprising the Fifty-fourth and Fifty-sixth Assembly Districts shall constitute the Twenty-fourth Congressional District.

25. All that portion of the County of Los Angeles comprising the Forty-ninth, Fiftieth and Fifty-third Assembly Districts shall constitute the Twenty-fifth Congressional District.

26. All that portion of the County of Los Angeles comprising the Sixty-first, Sixty-second and Sixty-sixth Assembly Districts shall constitute the Twenty-sixth Congressional District.

27. The County of San Bernardino shall constitute the Twenty-seventh Congressional District.

28. The County of Orange and all that part of the County of San Diego comprising the Seventy-seventh Assembly District shall constitute the Twenty-eighth Congressional District.

29. The Counties of Riverside and Imperial shall constitute the Twenty-ninth Congressional District.

30. All that portion of the County of San Diego comprising the Seventy-eighth, Seventy-ninth, and Eightieth Assembly Districts shall constitute the Thirtieth Congressional District."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 42

Mr. Waters asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 42.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1177

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1158

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 968
Assembly Bill No. 1053
Assembly Bill No. 1204
Assembly Bill No 1254
Assembly Bill No. 1312
Assembly Bill No. 1377
Assembly Bill No 1633
Assembly Bill No. 1634
Assembly Bill No. 1665
Assembly Bill No. 1683
Assembly Bill No 2064
Assembly Bill No. 2204
Assembly Bill No. 2447
Assembly Bill No. 2484
Assembly Bill No 2717
Assembly Bill No 2764
Assembly Bill No 3082
Assembly Bill No. 3221
Assembly Bill No 3222

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 242
Assembly Bill No. 701

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which were referred

Assembly Bill No 60
Assembly Bill No 3032

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 183
Assembly Bill No 735

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 732
Assembly Bill No 838
Assembly Bill No. 839
Assembly Bill No 965
Assembly Bill No. 1721
Assembly Bill No. 1872

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No. 1012

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No 3373

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred

Assembly Bill No 1618
Assembly Bill No 1619
Assembly Bill No 1620

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred

Assembly Bill No 664
Assembly Bill No. 753
Assembly Bill No. 754
Assembly Bill No 755
Assembly Bill No 1270
Assembly Bill No 1273
Assembly Bill No 1274

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 99

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to furnish to each Member of the Assembly, upon request, five copies of the California Blue Book.

Resolution read, and ordered referred to the Committee on Rules

By Mr. Doyle:

House Resolution No. 100

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 13 combination brief cases similar to the ones heretofore ordered for the Members of the Assembly, and he is further instructed to deliver one combination brief case to each of the 13 members who were not members of the 1950 Session, and be it further

Resolved, That the Chief Clerk is authorized and instructed to order for each Member of the Assembly, upon request and approval by the Rules Committee, one

combination brief case similar to the ones heretofore ordered for the Members of the Assembly, and to deliver the same to each member making the request after approval by the Rules Committee.

Resolution read, and ordered referred to the Committee on Rules

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 270—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the Probation Committee.

Bill read second time, and ordered engrossed.

Assembly Bill No. 273—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 303—An act to amend Section 29747 of the Government Code, relating to records of the county auditor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 304—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 478—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors.

Bill read second time, and ordered engrossed

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1811—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2378—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 421—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment

Bill read second time, and ordered engrossed.

Assembly Bill No. 1094—An act to add Section 19301.1 to the Education Code, relating to cafeterias in public schools.

Bill read second time, and ordered engrossed

Assembly Bill No. 3370—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 420—An act to amend Section 3454 of the Political Code and to add Section 50933 to the Water Code, relating to reclamation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 609—An act to provide for the reversion to the General Fund of any unexpended balance in the Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 349—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of twenty-four thousand dollars ($24,000) to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River debris control fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River

Bill read second time, and ordered engrossed

Assembly Bill No. 419—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Bill read second time, and ordered engrossed

Assembly Bill No. 1031—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of

interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1640—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under the State College Revenue Act of 1947 as legal investments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1694—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2641—An act to add Section 4.5 to the "State Aeronautics Commission Act," relating to the powers and duties of the commission with respect to civil defense.

Bill read second time, and ordered engrossed.

Assembly Bill No. 300—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the Cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries.

change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5 of the printed bill, after line 42, insert

"SEC. 66. All contracts for the construction of any unit of work, except as hereinafter provided, estimated to cost in excess of two thousand five hundred dollars ($2,500) shall be let to the lowest responsible bidder in the manner hereinafter provided. The board shall advertise by three insertions in a daily newspaper of general circulation or two insertions in a weekly newspaper of general circulation published in the district inviting sealed proposals for the construction of the work before any contract shall be made therefor, and may let by contract separately any part of said work. The board shall require the successful bidder to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of the claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 3 of Division 5 of Title 1 of the Government Code, and to be subject to the provisions of that chapter. The board shall also have the right to reject any and all bids, in which case the board may advertise for new bids. In the event no proposals are received pursuant to advertisement therefor, or where the estimated cost of such work does not exceed the sum of two thousand five hundred dollars ($2,500), or where the work consists of emergency work necessary in order to protect life and property, the board of directors, by unanimous vote of all members present, may without advertising for bids therefor have said work done by force account. The district shall have the power to purchase in the open market without advertisement for bids thereof, materials and supplies for use in any work therewith either under contract or by force account; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars ($2,500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

The provisions of this section shall have no application to a contract entered into with the United States under the authority of Section 46, or to a contract authorized by a vote of the electorate of the district."

Amendment No. 2

On page 5, line 48, of said bill, strike out "Section 42", and insert "Sections 42 and 51".

Amendment No. 3

On page 7 of said bill, strike out lines 48 and 49.

Amendment No. 4

On page 9, line 3, of said bill, after "county.", insert "No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of said assessment and the diagram thereto attached shall be recorded in the office of the district engineer and in the office of the county surveyor or county engineer of the county."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 16, 1951, strike out lines 9 and 10, and insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular General Session of the Legislature."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, 10053, and 10055 of the Education Code, relating to courses of study.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 10053, and 10055", and insert "and 10053".

Amendment No. 2

On page 2 of the printed bill, strike out lines 6 to 18, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1605—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Where property not in any such subdivision is", and strike out lines 4 to 16, inclusive, and insert

"The word "person" as used in Sections 11543 and 11544 of this code includes districts formed for the purpose of constructing or maintaining sewers. Charges imposed on such districts pursuant to Section 11544 shall be included in assessments levied for district purposes and in any bonds which may be issued by such districts."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2920—An act to add Section 188.1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 20, inclusive, and insert: "the Governor. In the event the funds expended for replacing or reconstructing the damaged or destroyed state highway exceeds the cost of providing a facility of equal utility with

that damaged or destroyed as determined by the State Highway Engineer, he shall report the amount of such excess to the commission, and any expenditure in excess of the cost of providing a facility of equal utility shall be subject to all the provisions of this article and Section 825 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 631—An act to add Section 306.5 to the Unemployment Insurance Act authorizing the investment of funds in the Unemployment Compensation Disability Fund in the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "seven million five hundred thousand dollars ($7,500,000).", and insert "nine million five hundred thousand dollars ($9,500,000)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 1—An act to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 4 of the printed measure, strike out lines 21 through 23, and insert "establishment of a borough system of government for the whole or any part of the territory of the city or city and county governed thereby, by which one or more boroughs or districts may be created therein and to provide that each borough or".

Amendment No. 2

On page 4, line 26, of said measure, strike out "each such borough or district", and insert "such boroughs and districts".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 94—An act to add Section 32127.5 to the Health and Safety Code, relating to budgets of hospital districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 32127.5 to" and insert "amend Sections 32127 and 32130 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "budgets of"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 32127 5 is added to the Health and", and insert "Section 32127 of the Health and Safety Code is hereby amended to read:

32127. The hospital district shall establish its own treasury and shall appoint a treasurer charged with the safekeeping and disbursal of the funds in the treasury of the district. The board of directors shall fix the amount of the bond to be given by such treasurer and shall provide for the payment of the premium therefor out of the maintenance and operation fund.

All moneys derived from that portion, if any, of the annual tax or assessment levied for capital outlay purposes shall be placed in the capital outlay fund. Any moneys derived from a special tax or assessment levied under Article 3 of Chapter 3 hereof shall be placed in a special assessment fund and shall be used exclusively for the purposes for which such special tax or assessment was voted

All moneys derived from the regular annual tax or assessment provided in Article 1, Chapter 3 hereof, except any part thereof levied for capital outlay purposes, shall be placed in the maintenance and operation fund. All receipts and revenues of any kind from the operation of the hospital shall be paid daily into the treasury of said district and placed in the maintenance and operation fund. Moneys in the maintenance and operation fund may be expended for any of the purposes of the district. Whenever it appears that the sum in the bond interest and sinking fund will be insufficient to pay the interest or principal of bonds next coming due and payable therefrom, a sum sufficient to pay such principal and interest shall be transferred by the board of directors from the maintenance and operation fund to said bond interest and sinking fund.

Except as to principal and interest of bonds, moneys in the treasury of the district shall be paid out by the treasurer thereof only on written order signed by the president and countersigned by the secretary. The treasurer shall keep such order as his voucher and shall keep accounts of all receipts into the district treasury and all disbursements therefrom.

Where bonds of the district are payable at the office of the district, all receipts from taxes levied to pay the principal and interest of such bonds shall be paid into the treasury of the district, and the treasurer of the district shall pay therefrom the principal and interest of such bonds

Where bonds of the district are payable at the office of the county treasurer of the organizing county, at the option of the holder, or otherwise, all receipts from taxes levied to pay principal and interest of such bonds shall be paid into the treasury of the organizing county and shall be placed by the county treasurer in the bond interest and sinking fund of the district, and he shall pay the principal and interest of such bonds therefrom and shall keep an account of all moneys received into and paid out of said fund.

Any moneys in the treasury of the district and any moneys of the district in the bond interest and sinking fund of the district in the treasury of the organizing county may be deposited in accordance with the provisions of the general laws of the State of California governing the deposit of public moneys of cities or counties in such bank or banks in the State of California as may be authorized to receive deposits of public funds, in the same manner and upon the same security as public moneys of cities and counties are deposited in such banks, and with like force and effect *The board of directors of the district are authorized to create a revolving fund which fund shall not exceed the sum of 10 percent of the estimated annual expenditures of the district at any one time and which shall be used for the purpose of paying the interim expenses of the operation of any hospital within the district without the necessity of a written order signed by the president and countersigned by the secretary as provided herein The treasurer is authorized to deposit said fund in such bank or banks in the county as may be authorized to receive deposits of public funds in the same manner and upon the same security as public moneys of cities and counties are deposited in such banks and with like force and effect, and shall be subject to withdrawal upon the signature of the treasurer for the use and purpose provided for herein*

SEC 2 Section 32130 of the Health and Safety Code is hereby amended to read:

32130 The district may borrow money and incur indebtedness in anticipation of the estimated tax revenue and other income for the current year in which the

indebtedness is incurred [or for the ensuing year thereafter] Such indebtedness shall not exceed 50 per cent of the total amount of the estimated tax revenue and other income for [either] the current year [or the ensuing year] *The district is further authorized when funds shall be needed for immediate requirements to pay obligations lawfully incurred, to borrow money on certificates of indebtedness or other evidence of indebtedness in an amount not to exceed one-half of one percent of the assessed valuation of the district, said certificates of indebtedness to run for a period not to exceed five years and to bear interest not to exceed 5 percent per annum.*

All such certificates of indebtedness or other evidence of indebtedness shall be issued after the adoption by a two-thirds vote of the board of directors of the district of a resolution setting forth the necessity for such borrowing and the amount of the assessed valuation of the district and the amount of funds to be borrowed thereon All such certificates of indebtedness or other evidence of indebtedness shall be offered at public sale by the board of directors of the district after not less than ten days advertising in a newspaper of general circulation within the district and if no newspaper of general circulation is printed within the district, then in a newspaper of general circulation within the county in which the district is located. Each such sale shall be made to the bidder offering the lowest rate of interest or whose bid represents the lowest net cost to the district; provided, however, that the rate of interest shall not exceed 5 percent per annum.

Such certificates of indebtedness or other evidences of indebtedness shall be signed on behalf of the district by the presiding officer and attested by the secretary of the board of directors of the district. The board of supervisors of the county in which the district lies shall, at the time of fixing the general tax levy, sometimes called the annual assessment or regular annual assessment for such district, and in the manner for such general tax levy provided, levy and collect annually each year all sums coming due for principal and interest on such certificates of indebtedness or other evidence of indebtedness, a tax sufficient to pay the interest on such certificates of indebtedness as the same becomes due and also, to constitute a sinking fund for the payment of the principal thereof at maturity Said tax shall be in addition to all of the taxes levied for district purposes and shall be placed in a certificate of indebtedness, interest and sinking fund of the district and, until all of the principal of the interest and certificates of indebtedness is paid, the money in said fund shall be used for no other purpose than the payment of said certificates of indebtedness and accruing interest thereon"

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 11, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 1751—An act to amend Section 641 of the Welfare and Institutions Code, relating to the management of the detention home.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "2,000,000", and insert "600,000".

Amendment No. 2

On page 1, line 9, of the printed bill, after "home", insert

"In all counties except counties having a population in excess of 600,000 the probation officer shall, with the advice and counsel of the probation committee, manage and control the internal affairs of the detention home."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Speaker Pro Tempore Presiding

At 10.04 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1838—An act to amend Section 662 of the Welfare and Institutions Code to provide that in counties with more than 500,000 population and less than 2,000,000 population the juvenile hall shall be under the management and control of the chief executive officer of the county or similar officer designated by the legislative body.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the title of the printed bill, strike out "with more than 500,000 population and less than 2,000,000 population the juvenile hall shall be under the management and control of the chief executive officer of the county or similar officer designated by the legislative body", and insert "with more than 600,000 population the juvenile hall shall be under the management and control of the probation committee of the county".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "2,000,000", and insert "600,000".

Amendment No. 3

On page 1 of the printed bill, strike out beginning with "In" in line 6, down to and including "county" in line 12.

Amendment No. 4

On page 1, line 12, of the printed bill, after "counties", insert "except counties having a population in excess of 600,000"

Amendment No. 5

On page 1, line 18, of the printed bill, strike out "2,000,000", and insert "600,000".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 17 to Article XVI thereof, relating to the issuance of bonds to provide a fund for the purchase of revenue bonds issued by counties, cities, districts, municipal corporations, political subdivisions, public corporations, or other public agencies of the State, or combination of such agencies.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "relating to", and insert "authorizing".

Amendment No. 2

Strike out lines 5 to 8, inclusive, of the title of said measure, and insert "to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, or by any combination of such public agencies, for public improvements."

Amendment No. 3

On page 1 of said measure, strike out line 9, and insert

"SEC. 17. The issuance and sale of bonds of the State of California in the sum of one billion dollars ($1,000,000,000) is hereby authorized.

The proceeds of such bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, or by any combination of such public agencies, for public improvements.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

All matters pertaining to the terms and conditions of the bonds authorized hereby, and to their preparation, execution, sale and issuance, or in any manner relating to said bonds, and all matters pertaining to the administration of the fund created by the sale thereof, shall be as from time to time provided by the Legislature.

The Public Agencies Improvement Bond Act of 1951 (Chapter ___, Statutes of 1951) is hereby ratified, validated, confirmed, and made fully and completely effective. No further act of the Legislature shall be necessary in furtherance of the provisions hereof, but this shall not prevent such legislative action.

The Public Agencies Revenue Bond Law (Chapter ___, Statutes of 1951) is also hereby ratified, validated, confirmed, and made fully and completely effective, and it is hereby declared that the issuance under said act, or under any other law or charter, of bonds payable out of revenues, and for the payment of which the power of taxation cannot be exercised, shall not constitute the incurring of indebtedness within the meaning of any provision of this Constitution, and nothing in this Constitution shall be a limitation upon the provisions of this section.

The ratification, validation, confirmation and making effective of said acts shall not preclude the subsequent amendment of said acts, or either of them, by the Legislature, provided that no such amendment of either of said acts shall impair or adversely affect the rights or interests of the holders of any bonds theretofore issued under said act.

The people of the State of California in adopting this section hereby declare that the great growth in population of the State has made it necessary to provide for the welfare of the people through facilitating the establishment of public improvements as rapidly as possible, and at the lowest cost consistent with sound planning, and it is therefore in the interest of the State and of the people thereof for the State to finance public improvements of State and local public agencies through the purchase of bonds of such agencies issued therefor."

Amendment No. 4

On page 1 of said measure, strike out lines 10 to 21, inclusive; and strike out page 2.

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 835—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to the Education Code, all relating to automobile driver training in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "the operation of motor vehicles", and insert "automobile driver training".

Amendment No. 2

On page 1, line 8, of said bill, after "attendance", insert ", computed under Section 10208,"

Amendment No. 3

On page 2, line 1, of said bill, after "attendance", insert ", computed under Section 10208,".

Amendment No. 4

On page 3 of said bill, between lines 4 and 5, insert

"The provisions of this section are effective for the purposes of Sections 5153 6 and 7106 only."

Amendment No. 5

On page 3, line 28, of said bill, strike out "In the determina-"; and strike out lines 29 to 34, inclusive.

Amendment No. 6

On page 2, line 34, of said bill, after the period, insert "No regulation or standard prescribed under this section shall require greater physical examination than is given by the Department of Motor Vehicles under Section 268 of the Vehicle Code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, and 9 of an act entitled "An act to repeal Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled "An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153 3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5,

1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 11.5, 12, and 13 of said act; to repeal Sections 5153.3 and 7091 of the Education Code; to repeal Articles 2 and 3 of Chapter 15 of Division 3 of said code; to add Sections 5153 3 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, line 8, of the printed bill, after "System," " insert "approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session)".

Amendment No. 2

On page 4 of said bill, strike out lines 35 and 36, and insert "under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item"

Amendment No. 3

On page 4 of said bill, strike out lines 42 and 43, and insert "determining the total current expenses of a district for transportation."

Amendment No. 4

On page 4, line 50, of said bill, strike out "the making of allowances", and insert "determining the total current expenses of a district for transportation".

Amendment No. 5

On page 11, line 2, of said bill, after "effect", insert ", to become operative July 1, 1951".

Amendment No. 6

On page 8 of said bill, after line 12, insert

"7018.1 In addition to all other amounts allowed to a school district under this article, the Superintendent of Public Instruction shall allow to each school district an amount equal to the cost to the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1153—An act to amend Sections 11460 and 11463 of the Water Code, relating to use of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 11460 and 11463 of", and insert "add Section 11128 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "11460 of the Water Code is amended", and insert "11128 is added to the Water Code".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 20, inclusive, and insert

"11128. The limitations prescribed in Section 11460 and 11463 shall also apply to any agency of the State or Federal government which shall undertake the construction or operation of the project, or any unit thereof, including, besides those specifically described, additional units which are consistent with and which may be constructed, maintained, and operated as a part of the project and in furtherance of the single object contemplated by this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1155—An act to add Section 60 to the State Water Resources Act of 1945, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, after "An act", insert "to amend Section 54 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 54 of the State Water Resources Act of 1945 is amended to read:

Sec. 54. The program on the Santa Ynez River Watershed is hereby adopted and authorized substantially in accordance with the recommendations of the Acting Secretary of Agriculture in House Document Numbered 518, Seventy-eighth Congress, [first] *Second* Session, *and approved by the act of Congress approved December 22, 1944, Public Law 534, Seventy-eighth Congress, Second Session, and as further authorized by act of Congress approved May 17, 1951, Public Law 516, Eighty-first Congress, Second Session,* at an estimated cost to the State of [thirteen thousand four hundred dollars ($13,400)] *one hundred six thousand dollars ($106,000)* .

SEC. 2. Section 60 is added to said act to read:".

(See Assembly Journal for March 26th, page 2032 for action expunging record on Amendments 3 to 7, inclusive.)

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2720—An act to add Section 8 to "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," (Statutes of 1945, Chapter 85), relating to the burning of slashings after logging operations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "slashings", and insert "slash".

Amendment No. 2

On page 1, line 4, of said bill, strike out "slashings", and insert "slash".

Amendment No. 3

On page 1 of said bill, after line 5, insert

"The Division of Forestry shall make such regulations relative to the time and manner in which the slash shall be so destroyed or removed as it deems necessary for fire suppression and insect and disease prevention."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1222—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6736", and insert "Sections 6736 and 6799".

Amendment No. 2

In line 2 of the title of said bill, strike out "civil", and insert "professional".

Amendment No. 3

On page 2, of said bill, after line 18, insert

"SEC. 2. Section 6799 of said code is amended to read:

6799. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

(a) The [application] fee for *filing each application for registration as a* professional engineer, *or authority to use the title "structural engineer"* is fifteen dollars ($15) [;] *and* for *each certification as* engineer-in-training is five dollars ($5), *except that as to any person who has previously been issued a certificate as an engineer-in-training, the fee for filing an application for registration as a professional engineer is ten dollars ($10).*

(b) The registration fee for professional engineer is ten dollars ($10) *for each certificate issued.*

(c) The duplicate certificate fee is one dollar ($1).

(d) The temporary registration fee for [civil] *professional* engineer is ten dollars ($10).

(e) The structural engineer's certificate of authority fee is ten dollars ($10)

(f) The annual renewal fee for professional engineer is six dollars ($6) *for each branch of professional engineering in which registration is held; for authority to use the title "structural engineer" is three dollars ($3)*; for engineer-in-training is two dollars ($2) *for each branch in which certification is held*.

(g) The penalty for delinquency *of the annual renewal fee* is one dollar ($1) for each month *or fraction thereof* after the date upon which the annual fee becomes due until the amount thereof aggregates five dollars ($5).

Applicants wishing to be examined in more than one branch of engineering shall be required to pay the additional fee for each examination after the first"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2135—An act to amend Sections 1732, 1732.6, 1732.7, and 1733 of the Harbors and Navigation Code, relating to officers and employees of the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "Each officer or employee designated by the board as a harbor policeman shall be allowed and paid the sum of two hundred dollars ($200) per year for the maintenance of his uniform and equipment assigned to him."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy

Assembly Bill No. 2472—An act to add Section 4302.5 to the Government Code, relating to public purchases of duplicating machines and supplies therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out "add Section 4302.5 to the Government Code, relating to public purchases of duplicating machines and supplies therefor.", and insert "amend Sections 4303 and 4304 of the Government Code, relating to public contracts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, lines 1, 2, 3, 4, and 5, of said bill, strike out "Section 4302.5 is added to the Government Code, to read:

4302.5. This article does not apply to duplicating machines and supplies therefor manufactured outside the United States the purchase of which would result in a substantial saving.", and insert "Section 4303 of the Government Code is amended to read:

4303. The governing body of any political subdivision, municipal corporation, or district, and any public officer or person charged with the letting of contracts for (1) the construction, alteration, or repair of public works or (2) for the purchasing

of materials for public use, shall let such contracts only to persons who agree to use or supply only such manufactured materials as have been produced in the United States, *Canada, or Great Britain* and only such manufactured materials as have been manufactured in [the United States] *such countries*, substantially all from materials produced in [the United States] *such countries*

SEC 2. Section 4304 of said code is amended to read:

4304. Every contract for the construction, alteration or repair of public works or for the purchase of materials for public use shall contain a provision that only manufactured materials produced in the United States, *Canada, or Great Britain*, and only manufactured materials manufactured in [the United States] *such countries*, substantially all from materials produced in [the United States] *such countries* shall be used in the performance of the contract.

Any person who fails to comply with such provision shall not be awarded any contract to which this article applies for a period of three years from the date of the violation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3270—An act prescribing the terms upon which licenses may be issued to practitioners of psychology, creating the State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to regulate the practice of psychology,"

Amendment No. 2

On page 1, of said bill, strike out lines 4 and 5, and insert "one of which shall be a licensed practitioner of the healing arts in the State of California, one".

Amendment No. 3

On page 1, line 6, of said bill, strike out "three", and insert "five".

Amendment No. 4

On page 1, line 8, of said bill, after "Governor", insert ", one of which the Governor shall designate as president of the board"

Amendment No. 5

On page 1 of said bill, strike out line 19, and insert "ner: Two, for the term of one year; two, for the term of two".

Amendment No. 6

On page 2, line 10, of said bill, strike out "a president and"

Amendment No. 7

On page 2, line 11, of said bill, after "board", insert "and the selection of a secretary who may be but is not required to be a member of the board"

Amendment No. 8

On page 2, line 15, of said bill, strike out "three", and insert "four"

Amendment No. 9

On page 2 of said bill, strike out lines 44 and 45

Amendment No. 10

On page 2, line 46, of said bill, strike out "(g)", and insert "(f)".

Amendment No. 11

On page 2, line 48, of said bill, strike out "(h) The board may", and insert "(g) To".

Amendment No. 12

On page 3, line 2, of said bill, strike out "The board is"; and strike out lines 3 to 12, inclusive.

Amendment No. 13

On page 3, line 21, of said bill, after "years", insert "or possess the degrees as otherwise provided in this section of this act".

Amendment No. 14

On page 3, line 22, of said bill, strike out "From time to time", and insert "On or after June 15, 1955".

Amendment No. 15

On page 3, line 34, of said bill, strike out "a total of 172 hours", and insert "not less than 192 lecture hours".

Amendment No. 16

On page 3 of said bill, strike out lines 35 to 37, inclusive, and insert "one or more of the basic sciences of anatomy, physiology, endocrinology, symptomatology, biology, zoology, pathology, neurology, or their equivalents as determined by the board and further provided that not more than one-half or less than one-quarter of such 192 lecture hours be spent in any one subject, also 1200 lecture hours of psychological theories, and 192 hours of supervised clinical practice, or possess the degree of Doctor of Philosophy with a major in psychology or a doctor's degree in education from a college or university approved by the board.

The board shall have the power to and shall allow and approve the establishment of institutions of learning who teach or offer part or all of the curriculum of educational requirements as specified by this act or as later amended or increased under the provisions of this act. The following requirements shall be in effect for such organizations wishing to qualify under this section of this statute. (a) that such institutions shall be non-profit corporations established for the purpose of conducting and maintaining itself as an organization whose principal aim and method of operation seeks to further the understanding and communicate to a student the science and art of psychology; (b) the articles of incorporation shall state the name of the corporation; (c) the purpose for which it is organized; (d) the county in this State with the principal office for the transaction of the business where the corporation is to be located; (e) the number of its directors which shall not be fewer than five nor more than thirty and the names and residences of the directors; (f) that the corporation is not authorized to issue shares of stock.

Such corporations may issue certificates or diplomas evidencing the completion of a course of instruction in psychology only The corporation shall conduct resident classes for such students and may not conduct correspondence classes in any subject not offered in resident classes. Such corporations may give scholarships, free tuitions, or accept tuition fees after it has performed either of the following acts: (a) filed with the Secretary of State a copy of an instrument evidencing its operation on a basis whereby it has offered in the six months prior to the enactment of this act at least 200 hours of residency classes in subjects included in the basic minimum educational requirements incorporated in this act as the basic requirements for individuals wishing to take the examination; that all such classes have been attended by at least five full tuition-paying students and that all expenses then due and payable for rent on premises, supplies and professional services of instructors and other such expenses pertinent to its operation have been paid for or are in dispute, and if in dispute, a full exposition of the facts involved (which exposition may be either accepted or rejected by the board); (b) or filed with the Secretary of State a bond in the sum of $10,000 either in cash or signed by at least two freeholders of property in the State of California which property shall exceed in taxable value a sum equal to twice the amount of the face value of the bond, or a bond issued by a recognized surety or bonding company licensed in the State of California, such bond to be in the sum of $10,000 and to insure the faithful performance of such institutions in carrying out the requirements of this act and such requirements as the board may define or require from time to time.

All such schools offering courses of instruction shall file a syllabus with the secretary of the board for approval together with the names of each of its instructors and their certifications, licenses, etc. Each instructor shall hold a state credential in teaching equivalent to college level or be a licensee of this act, or a licensee under the State Medical Board, the State Chiropractic Board, or the State Osteopathic Board.

The board may, at its discretion, require such institutions to furnish copies of its final examinations in each subject for the approval of the board before being administered to the student and the board may require or recommend changes.

The board has exclusive jurisdiction over the establishment and control of the above defined institutions and all other acts or parts of acts which conflict with this section are hereby repealed insofar as this act is concerned."

Amendment No. 17

On page 3, line 41, of said bill, strike out "their", and insert "its".

Amendment No. 18

On page 3, line 50, of said bill, after "be", insert "prepared by the board and shall be".

Amendment No. 19

On page 4, line 11, of said bill, after "7.", insert "Except as otherwise provided in this act,".

Amendment No. 20

On page 4, lines 15 and 16, of said bill, strike out "as taught in psychological schools or colleges".

Amendment No. 21

On page 4 of said bill, between lines 24 and 25, insert

"No unlicensed person shall diagnose, treat, or offer to treat any mental or emotional ailment or disorder without first complying with the provisions of this act by obtaining a license to practice psychology. No licensee under this act shall treat, or offer to treat any person for any organic pathology.

This act further provides for regulating the practice of counseling in problems of social adjustment and prescribes the terms upon which certificates shall be issued to counselors.

No person shall practice counseling or use the title, "Certified Counselor" in this State unless he holds, valid and unrevoked at the time, a certificate issued by the board. Such certificate shall be issued to any person who shall present to the board satisfactory proof of good moral character who has had one year of practical experience gained under the supervision of a person qualifying for license under this act or a licensed member of the healing arts in this State and further that he is recommended by two persons so licensed, providing such persons shall apply for certification to the board before June 15, 1952. Such certificate shall be issued to any person who shall present to the board satisfactory proof of good moral character who has received the degree of Bachelor of Arts with a major in psychology (or its equivalent as determined by the board) from a school or college or university approved by the board

Such applicants may be required to pass a written examination to be given and graded in like manner as provided in Section 6 of this act.

No provision contained in this act shall be so construed as to prohibit anyone licensed or certified under this act from employing any other person or persons not licensed or certified to work under their direction.

Licensing fees under this section shall be as follows: a fee of twenty-five dollars ($25) shall be paid to the secretary of the board when filing the application and shall be non-refundable. Yearly renewal fee shall be in the sum of ten ($10) dollars."

Amendment No. 22

On page 4, line 52, of said bill, strike out the third "or", and insert a comma.

Amendment No. 23

On page 6, line 39, of said bill, strike out "D.P.", and insert "Ps.D."

Amendment No. 24

On page 6, line 44, of said bill, strike out "D.P.", and insert "Ps.D "

Amendment No. 25

On page 7, line 25, of said bill, strike out "terms", and insert "words".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2079—An act to amend Section 13776, 13777, 13778, 13779, and 13780 of, and to add Section 13782 and 13783 to, Chapter 8, Part 3, Division 3, Title 2, of the Government Code, relating to social security coverage for employees of public agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy.

Amendment No. 1

In line 1 of the title of the printed bill, before "13780", strike out "and".

Amendment No. 2

In line 1 of the title of said bill, after "13780", insert ", and 13781".

Amendment No. 3

In line 2 of the title of said bill, after "13782", strike out "and", and insert a comma.

Amendment No. 4

In line 2 of the title of said bill, after "13783", insert ", 13784, 13785, 13786, 13787, 13788 and 13789".

Amendment No. 5

In line 4 of the title of said bill, after the comma, insert "making an appropriation and".

Amendment No. 6

On page 2 of said bill, between lines 32 and 33, insert

"SEC. 6. Section 13781 of the said code is amended to read

13781. The director may designate other state offices and agencies to assist in the administration of the provisions of this chapter *and may delegate to any such agency or office any of the powers and authority herein created in the director* and may enter into interagency agreements covering any such services."

Amendment No. 7

On page 2, line 33, of said bill, strike out "SEC. 6.", and insert

"SEC. 7."

Amendment No. 8

On page 2 of said bill, strike out lines 34 to 40, inclusive, and insert

"13782. The Director of Finance may charge or assess each public agency and each public agency shall reimburse the State at such times and in such amounts as the director may charge or assess, which amounts may differ from public agency to public agency, the public agency's proportionate share of any and all costs incurred by the State from and after October 30, 1950, as determined by the director, of administering said old age and survivors insurance system as it affects the public agency and its employees."

Amendment No. 9

On page 2, line 41, of said bill, strike out "SEC. 7.", and insert

"SEC. 8."

Amendment No. 10

On page 2 of said bill, after line 51, insert

"SEC. 9. Section 13784 is added to the said code, to read:

13784. Notwithstanding any other provision of law, the director may authorize the payment of all costs incurred by the State in administering the provisions of this chapter from the Unemployment Administration Fund or from any appropriation available for the support of any state office or agency which may be designated by the director to assist in the administration of the provisions of this chapter. Any such payments shall be returned to said fund or such appropriation as provided in Section 13786 of this code. Any state office or agency designated by the director to assist in the administration of the provisions of this chapter shall submit to the director from time to time, for the approval of the director and the State Controller, a plan of financial settlement setting forth the costs incurred by such state office or agency in connection with any duties or powers delegated to it as herein provided.

SEC. 10. Section 13785 is added to the said code, to read:

13785. There is hereby appropriated from the General Fund in the State Treasury the sum of $10,000 which shall be transferred to the Old Age and Survivors Insurance Revolving Fund which is hereby created. All money in said revolving fund is appropriated without regard to fiscal years to the director to carry out the provisions of this chapter. The director may authorize any state agency or office which may be designated by the director to assist in the administration of the provisions of this chapter to make expenditures from the said Old Age and Survivors Insurance Revolving Fund to the same extent as the director is authorized to make expenditures from such fund.

SEC. 11. Section 13786 is added to the said code, to read:

13786. The said Old Age and Survivors Insurance Revolving Fund shall be used by the director, or by any state office or agency the director may designate, for the following purposes and for any other purposes necessary to carry out the provisions of this chapter.

1. To reimburse the Unemployment Administration Fund or any appropriation available for the support of any state office or agency designated by the director to assist in the administration of the provisions of this chapter for any payments made in accordance with Section 13784 of this code.

2. To advance on behalf of any public agency or agencies any part or all of the contributions required to be paid by them pursuant to Sections 13778, 13779 and 13783 of this code

3. To advance on behalf of any public agency or agencies any sums of money the State may be obligated to pay or forfeit to the Federal Government from and after October 30, 1950, by reason of any default or delinquency of any such public agency or agencies in paying the contributions, penalties or interest required by Sections 1400 and 1410 of the Internal Revenue Code, federal regulations adopted pursuant thereto and pursuant to the said agreement between the director and the Federal Security Administrator.

4. To make refunds to any public agency or agencies of contributions, penalties, interest, reimbursements, or other amounts received from any such public agency or agencies as overpayments or paid by them in error.

SEC. 12. Section 13787 is added to the said code, to read

13787. Any public agency on whose behalf the director has made any advances of money as provided in Section 13786 of this code shall, upon receipt of written demand from the director, reimburse the State in the amount of any such advances.

SEC. 13. Section 13788 is added to the said code, to read

13788. All contributions, penalties, interest and reimbursements received by the State from any public agency or agencies pursuant to this chapter shall be deposited in said Old Age and Survivors Insurance Revolving Fund

SEC. 14. Section 13789 is added to the said code, to read.

13789. All employer and employee contributions, penalties, interest and the public agencies' proportionate share of the cost to the State for administering said Insurance System, as required of the public agencies to be paid by this chapter, shall be deposited in the said Revolving Fund, and the director, or any state office or agency which the director may authorize, may make all payments from the said Revolving Fund which the State may be required to pay to the Federal Government pursuant to the said agreement between the director and the Federal Security Administrator."

Amendment No. 11

On page 3, line 1, of said bill, strike out "SEC. 8", and insert "SEC. 15."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

SECOND READING OF SENATE BILLS

Senate Bill No. 743—An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return to the State Treasury of the money so appropriated, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bills Nos. 1158, 1254, 1377, and 1683 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2484, 2764, 968, 1633, 1634 and 2717, re-referred to the Committee on Agriculture.

Assembly Bills Nos. 2447, 1665, and 3221 re-referred to the Committee on Ways and Means

Assembly Bills Nos. 1053, 1204 and 3082 re-referred to the Committee on Public Health

Assembly Bills Nos. 1312, 2064, 2204 and 3222 re-referred to the Committee on Social Welfare.

RESOLUTIONS

The following resolution was offered:

By Mr. Hollibaugh:

House Resolution No. 101

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed, unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the State and local Governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Standing Committee on Revenue and Taxation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No 327 from committee be continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1887 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1887 was passed.

Assembly Bill No. 1887 ordered transmitted to the Senate.

CONSIDERATION OF RECOMMENDATION TO ADOPT AMENDMENT TO THE STANDING RULES
REPORT OF STANDING COMMITTEE

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR SPEAKER: Your Committee on Rules recommends the adoption of the following amendment to the Standing Rules of the Assembly:

Amendment No. 1

In Assembly Standing Rule No. 16, as printed in the Assembly Journal of January 10, 1951, on page 187, in paragraph 2 of said Rule, in line 3, strike out "Monday", and insert "Tuesday".

Above report read.

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Stanley—58

NOES—George D. Collins—1.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, and Tomlinson—60

NOES—Hagen—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 234—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 10.15 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 1888—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Tomlinson—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2516—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2518—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 2518

Mr. Geddes asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on

this day, adopted the amendments offered by Mr. Geddes to Assembly Bill No. 2518.

Amendments Withdrawn

Mr. Geddes withdrew his amendments

Further Consideration of Assembly Bill No. 2518

Assembly Bill No. 2518—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Stanley, Stewart, and Tomlinson—55

NOES—George D Collins, Hagen, and Henderson—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of the Banking Code, to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "the Banking Code", and insert a comma.

Amendment No. 2

In line 2 of the title of said bill, after "3015", insert "to, the Banking Code, and to amend Sections 2090, 2095, and 3011 of, and to add Sections 3013, 3014, and 3015 to, the Financial Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 4 of said bill, after line 31, insert

"SEC. 7. Section 2090 of the Financial Code is amended to read:

2090. [Nothing in this division restricts the right of] *If two-thirds of the outstanding voting stock vote in favor thereof or give their written consent thereto,* any bank organized under the laws of this State [to] *may* convert into a national banking association upon compliance with the appropriate laws of the United States.

SEC. 8. Section 2095 of the Financial Code is amended to read:

2095. Whenever: (a) a national banking association authorized and qualified to conduct a trust business in this State has been heretofore or is hereafter created by the conversion of a state bank likewise authorized and qualified; or (b) a state bank likewise authorized and qualified has been heretofore or is hereafter created by the conversion of a national banking association likewise authorized and qualified, or (c) one or more national banks likewise authorized and qualified has been heretofore or is hereafter consolidated with one or more other national banking associations likewise authorized and qualified; or (d) one or more state banks likewise authorized and qualified consolidate with or merge into one or more national banking associations likewise authorized and qualified; or (e) one or more national banking associations likewise authorized and qualified consolidate with or merge into one or more state banks likewise authorized and qualified[.] *or (if) a national banking association authorized and qualified to conduct a trust business in this State purchases or has purchased the trust business and assets of another national banking association or of a bank organized under the laws of this State,* the resulting state bank or national banking association, *or the purchasing national banking association,* as the case may be, ipso facto and by operation of law and without further transfer, substitution, act, or deed succeeds to the rights, obligations, properties, assets, investments, deposits, demands, agreements, and trusts of the former *or selling* state bank or national banking association under all trusts, executorships, administrations, guardianships, agencies, and under all other fiduciary or representative capacities to the same extent as though it had originally assumed the same and succeeds to and is entitled to take and execute the appointment to all executorships, trusteeships, guardianships, and other fiduciary or representative capacities to which the former *or selling* state bank or national banking association, as the case may be, is or may be named in wills, whenever probated, or to which the former *or selling* state bank or national banking association is or may be named or appointed by any other instrument.

SEC. 9. Section 3011 of the Financial Code is amended to read:

3011. Whenever: (a) a national banking association authorized and qualified to conduct a trust business in this State is created by the conversion of a state bank likewise authorized and qualified; or (b) a state bank, likewise authorized and qualified, is created by the conversion of a national banking association, likewise authorized and qualified; or (c) one or more national banks, likewise authorized and qualified, are merged with or consolidated into one or more other national banking associations likewise authorized and qualified; or (d) one or more state banks, likewise authorized and qualified, are merged with or consolidated into one or more national banking associations likewise authorized and qualified *; or (e) a national banking association authorized and qualified to conduct a trust business in this State purchases or has purchased the trust business and assets of another national banking association or of a bank organized under the laws of this State* , there may be executed by the president and secretary or the cashier of the resulting state bank or national banking association *or purchasing national banking association* , as the case may be, its certificate in substantially the following form:

State of California, }
County of } ss.

The undersigned, _____, president, and _____ (secretary or cashier) of _____ (name of bank), being duly sworn, each for himself, certifies as follows:

WHEREAS, The _____ (name of bank) is a (national bank organized under the laws of the United States, or a bank organized under the laws of the State of California, as the case may be) ; and

WHEREAS, Said _____ (name of bank) was created in the following manner: (by consolidation, merger or conversion, as the case may be) *or said _____ (name of bank) purchased the trust business and assets of _____ (name of bank)* ; and

WHEREAS, The _____ (name of bank) is authorized and qualified under the laws of the State of California to conduct a trust business in this State; and

WHEREAS, Said _____ (name of bank) has received from (the Comptroller of the Currency or the Superintendent of Banks, or both, as the case may be) authorization or approval for the conduct of said business under the name of _____, of which authorization the following is a full, true and correct copy:

(Insert copy of authorization or approvals)

Now, Therefore, It Is Hereby Certified that the business formerly conducted by _____ has been succeeded to and is now being conducted by _____, with its principal place of business in the (City of _____, County of _____, or city and county, as the case may be)."

Such certificate shall be sworn to and duly acknowledged before a notary public by the persons executing the same

The recordation of such certificate in the office of the recorder of any county shall be to all persons constructive notice that all of the rights, benefits, privileges, duties, and obligations of whatsoever kind or nature held or possessed by or imposed upon the bank so converted, merged, consolidated, or whose trust business and assets have been sold, are retained by and imposed upon the successor bank or national banking association Any such certificate shall be prima facie evidence in all courts and places of the regularity of the proceedings taken and of the fact of such conversion.

SEC. 10. Section 3013 is added to the Financial Code, to read:

3013 Whenever a national banking association has converted into a state bank and whenever a state bank has converted into a national banking association, the resulting state bank or national banking association, as the case may be, shall be deemed the same corporate entity as the bank from which it was converted and any reference to the converting bank in any writing, whether executed or taking effect before or after the conversion, shall be deemed a reference to the converted bank if not inconsistent with the other provisions of such writing.

SEC. 11. Section 3014 is added to the Financial Code, to read:

3014. Whenever a state bank or a national banking association has merged into a state bank and whenever a national banking association or state bank has merged into a national banking association the resulting state bank or national banking association, as the case may be, shall be deemed the same corporate entity as the merged bank and any reference to the merged bank in any writing, whether executed or taking effect before or after the merger, shall be deemed a reference to the resulting bank if not inconsistent with the other provisions of such writing.

SEC 12 Section 3015 is added to the Financial Code, to read.

3015 Whenever one or more state banks or national banking associations have consolidated into a new state bank or into a new national banking association, the resulting state bank or national banking association, as the case may be, shall be deemed the same corporate entity as the constituent state bank or banks or national banking association or associations, as the case may be, and any reference to the constituent state bank or banks or to the national banking association or associations in any writing, whether executed or taking effect before or after the consolidation, shall be deemed a reference to the resulting bank or national banking association if not inconsistent with the other provisions of such writing.

SEC 13. Sections 7, 8, 9, 10, 11, and 12 of this act become operative only if Division 1 of the Financial Code is enacted by the Legislature at the 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 1, 2, 3, 4, 5, and 6 of this act are hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2820

Mr Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2820, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2820

Assembly Bill No. 2820—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2823

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2823, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2823

Assembly Bill No. 2823—An act to amend Section 4 of the Industrial Loan Act and/or subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18405, 18663, 18664 and 18665 of the Financial Code, relating to penalties and powers applicable to industrial loan companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, and Stewart—68

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.38 a.m., Mr. Lindsay asked for, and was granted, unanimous consent that Messrs. Kirkwood and Silliman be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 45—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb,

Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Waters—67.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 242

Mr Smith asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 242, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 242

Assembly Bill No. 242—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—66
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10 41 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1178

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1178, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1178

Assembly Bill No. 1178—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296 41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—68.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2522

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2522, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2522

Assembly Bill No. 2522—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—65

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 822—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Tomlinson—66

NOES—Stanley—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 72

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 72, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 72

Assembly Bill No. 72—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read third time.

Motion to Amend

Mr Chapel moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "Federal Bureau of Investigation", and insert "State Bureau of Criminal Identification and Investigation".

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports

Bill read third time, and ordered passed on file

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—69

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Rules, to which was referred

House Resolution No. 99

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 99

By Mr. Dickey:

House Resolution No. 99

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to furnish to each Member of the Assembly, upon request, five copies of the California Blue Book.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, and Stewart—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 36: By Mr. Stewart—Relative to approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of March, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 365
Assembly Bill No. 366
Assembly Bill No 898

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 270
Assembly Bill No. 273
Assembly Bill No. 303
Assembly Bill No. 304
Assembly Bill No 349
Assembly Bill No. 419
Assembly Bill No. 420
Assembly Bill No 421
Assembly Bill No. 478
Assembly Bill No. 609
Assembly Bill No. 795
Assembly Bill No. 1031
Assembly Bill No 1094
Assembly Bill No 1227
Assembly Bill No. 1639
Assembly Bill No. 1640
Assembly Bill No 1694
Assembly Bill No 1742
Assembly Bill No. 1743
Assembly Bill No. 1811
Assembly Bill No. 1890
Assembly Bill No. 2005
Assembly Bill No. 2378
Assembly Bill No. 2641
Assembly Bill No. 3370

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 25—Relative to continuing federal support for vocational education.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—69.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 366

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 366, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 366

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 365

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 365, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 365

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—64

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 898

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 898, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 898

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions and to the making of representations that securities are a legal investment for savings banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Shaw, Stanley, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act creating the "Yolo County Flood Control and Water Conservation District" for controlling, conservation, diversion storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Respectfully submitted.

LLOYD W LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr Lowrey.

An act creating the "Yolo County Flood Control and Water Conservation District" for controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district

BURKE, Chairman

The roll was called, and permission granted by the following vote

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy McCollister, McFall, McGee McMillan, Meyers, Moss, Munnell Nichouse, Parker, Porter, Shaw, Stanley, Stewart and Tomlinson—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3390: By Mr. Lowrey—An act creating the "Yolo County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district

Referred to Committee on Conservation, Planning, and Public Works

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 87

By Mr Elliott:

House Resolution No. 87

Relative to memorializing the Congress of the United States regarding the Social Security Administration under the Federal Security Agency

WHEREAS, Employees making contributions under the Old-age Survivors Insurance System of the Social Security Act are uncertain of their status and of the amounts contributed by their employers, and

WHEREAS, Persons applying for benefits have found in some cases, that neglect in turning in funds on the part of some employers has made it difficult and at times impossible to straighten out their records so that they could establish their eligibility to obtain old age benefit payments under the Federal Social Security Law, and

WHEREAS, The intent and purpose of our Social Security Act will be more clearly expressed by advising the employee annually of his status thereunder, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby memorializes the Congress of the United States to investigate and consider the feasibility of taking action which will require the Social Security Administration under the Federal Security Agency to furnish employees making contributions for old-age survivors insurance with an annual statement of their status and of the amount paid into the fund by their employers, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 35—Relative to the death of Judge Herbert Wilson Erskine.

Resolution read. and adopted.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 341—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, and Stanley—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 605—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1089—An act to add Article 6, comprising Sections 1953i to 1953*l*, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1200—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—64

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Charles W. Lyon Presiding

At 11.29 a.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Assembly Bill No. 1276—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a Supplementary Preliminary Report of the Assembly Interim Committee on Finance and Insurance (created by House Resolution No. 239) be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky,

Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—59.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2450—An act to amend Section 1873 of the Civil Code, relating to unclaimed property.

Bill read third time.

Demand for Previous Question

Messrs Grant, Doyle, Dunn, Connolly, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2450

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—70

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 28

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 28, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 28

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 28:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 23, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 28, "An act making an appropriation to Mono County from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This act makes an appropriation to the County of Mono for the construction of bridges damaged or destroyed by the recent floods Until this work is done many of the people of Mono County will be isolated, and the work should be done as soon as possible.

I therefore recommend consideration of Assembly Bill No. 28 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 28—An act making an appropriation to Mono County from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—70

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—70

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 457—An act to amend Sections 221, 234, 235, 236, and 240 of, and to repeal Sections 234.5, 243, 246, and 247 of, the Agricultural Code, relating to bovine tuberculosis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—67

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Sam L. Collins, Waters, Dickey, McCarthy, Brady, Meyers, George D. Collins, Gaffney, Connolly, Dolwig, Dunn, and Berry:

House Resolution No. 102

Relative to adjournment on Good Friday, March 23, 1951

WHEREAS, It is the custom among Christians throughout the world to devote three hours on the afternoon of Good Friday to commemorative services and meditation upon the passion and death of our Saviour; and

WHEREAS, All Members of this Assembly desiring to participate in these religious observances should be free to do so; now, therefore, be it

Resolved by the Assembly of the State of California, That an adjournment be taken from 12 noon on Friday, March 23, 1951, until Monday, March 26, 1951, at 10 A.M., in respect to observance of Holy Week.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 102, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ AND APPROPRIATE ACTION TAKEN

Mr. Dickey asked for, and was granted, unanimous consent that appropriate action be taken on reports below.

Reports read, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941;

Assembly Joint Resolution No. 16—Relative to the compensation of postal employees;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of March, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 17—Urging equal opportunity in public employment for qualified physically handicapped citizens of the State;

Assembly Concurrent Resolution No. 29—Relative to eggs shipped to Hawaii;

Assembly Concurrent Resolution No. 30—Relative to participation in the events of the Thirty-second Annual Public Schools Week;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of March, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 831

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 500

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 381	Assembly Bill No 2258
Assembly Bill No. 606	Assembly Bill No. 2318
Assembly Bill No 944	Assembly Bill No 2672
Assembly Bill No 1091	Assembly Bill No. 2676
Assembly Bill No. 1203	Assembly Bill No 2678
Assembly Bill No. 1492	Assembly Bill No. 2760

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

HOLLIBAUGH, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 437	Assembly Bill No. 560
Assembly Bill No. 438	Assembly Bill No. 574

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 1814

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 434	Assembly Bill No. 563
Assembly Bill No. 435	Assembly Bill No 564
Assembly Bill No. 436	Assembly Bill No 565
Assembly Bill No. 441	Assembly Bill No. 568
Assembly Bill No. 442	Assembly Bill No. 569
Assembly Bill No. 469	Assembly Bill No. 570
Assembly Bill No. 470	Assembly Bill No 571
Assembly Bill No. 558	Assembly Bill No 572
Assembly Bill No. 561	Assembly Bill No. 578
Assembly Bill No. 562	Assembly Bill No. 580

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 485
Assembly Bill No. 537

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 269

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Mr. Stanley announced that all Pages who appeared in the picture taken of the Pages in the Assembly Chamber yesterday are invited to come to his desk, upon adjournment, to receive pictures.

SUPPLEMENTARY PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE

H.R. 239

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON FINANCE AND INSURANCE, March 23, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: As explained in the within report your Interim Committee on Finance and Insurance has received material which allows me at this date to make a report on certain proposed legislation referred to this committee for study during the interim.

In making this supplementary preliminary report which we ask be printed in the Journal I am placing in the hands of the committee members and the Legislature matters pertinent to the subject legislation as well as legislation in the current session.

Very truly yours,

ERNEST R. GEDDES, Chairman

Supplementary Preliminary Report of the Assembly Interim Committee on Finance and Insurance (H.R. 239)

RELATING TO CERTAIN BILLS ON WHICH CONSIDERATION WAS DEFERRED BY THE COMMITTEE

The Assembly Interim Committee on Finance and Insurance at its hearings held at the State Capitol in Sacramento on November 16 and 17, 1950, deferred consideration of the subject matter of those bills referred to it having to do with unemployment disability benefits as follows: Assembly Bills Nos 28, 29, 66, 78, 79, 85, 86, 87 and 88 (introduced at the 1950 First Extraordinary Session).

When the chairman called for presentation of the first bill in this class Mr Harold Leavey addressed the committee as follows:

* MR. LEAVEY: Mr. Chairman, I wonder if, with Mr. Condon's leave, I might make a statement in connection with these bills?

CHAIRMAN GEDDES: First, will you identify yourself for the record, please Mr Leavey?

From the record we quote relevant excerpts as follows.

"MR. LEAVEY: My name is Harold Leavey, Representative of the California Western States Life Insurance Company. I've appeared before this committee on numerous occasions in connection with Disability Insurance matters. At the outset, let me say that there has been a discussion going on for some period of time with representatives of organized labor that sponsored the original writing of the Disability Insurance Act. There has been recognition on the part of the insurance carriers that there was an unhappy situation in Sacramento in 1949 session and I think there is recognition on the part of everyone concerned, that the excess of income over outgo in 1950 will be relatively small and that some consideration might be given to getting together on a discussion of where this Act is going. In line with that, we have suggested to the sponsors of some of this legislation, specifically, Mr Haggerty † and Mr. Scully ‡ that it might be desirable to ask this committee to postpone or defer hearings on the Disability Insurance phases of these several bills. Discussion was had with Mr Condon, as I understand it, and it is agreeable with him One of the reasons we're asking and, perhaps primarily, is that there has been a discussion going on among the insurers as to how far changes might be made and still keep this Act on a sound and solvent basis. The insurance carriers are having a meeting in conjunction with the Insurance Commissioners' Convention in Los Angeles, December 10th to 13th. It is the thought that at that time it may be possible to reach some conclusions and perhaps present, on the part of the insurance industry and the representatives of labor, this committee with certain conclusions. If there is an attempt to explore fully all of the bills before this committee now, it seems to me that ultimate conclusions may be defeated on the

* Transcript of testimony and proceedings before the Assembly Interim Committee on Finance and Insurance, Sacramento, November 16 and 17, 1950, Page 48 through 57 ff

† C J Haggerty, Secretary California State Federation of Labor (A F of L) and Legislative Representative

‡ Charles P Scully, Charles P Scully, Attorney at Law, Counsel California State Federation of Labor

basis on which it's currently being attempted. I think too, that if it is not possible for the representatives of the insurance industry and organized labor to meet and agree late in December, there would then be some time at least for this committee to have a hearing, or a discussion on all of these bills, prior to January 15th, when I understand, your report is due to be filed. Therefore, I would ask that the committee determine now that they go along with what I understand is Mr. Condon's, Mr. Scully's and Mr. Haggerty's agreement with the insurance carriers, to defer consideration on the Disability Insurance phases of these several bills pending before this committee.

CHAIRMAN GEDDES: Now, Hal, you have particular reference to A.B. 56, 86 and 87, introduced at the First Extraordinary Session, last March. Is that right?

MR. LEAVEY: Yes, but further than that, there is 88, and then there are some of the bills that have to deal with U.I ‡, which also deal with D.I.‡ in part, because the same Section of the statute covers both U.I. and D.I. In other words, the request for deferment goes to all the bills that touch in any way upon D.I.

MR. SCULLY: I think I have a list here.

CHAIRMAN GEDDES: Would you just give it to me and we'll get the record straight.

MR. SCULLY: As I understand it, the list would include A.B. 66, 78, 79, 85, 88 and 111.

MR. LEAVEY: Well, Mr. Chairman, there are certain other bills that should be included in that, for instance, 59 relates to Section 54, which would increase the weekly benefit amount, both for D I. purposes and U.I. purposes.

MR. SCULLY: I think that could be included

CHAIRMAN GEDDES: You'd agree with that? All right. In other words, as has been pointed out, there was a meeting of the minds as to the need for revision and amplification of some of the benefits and perhaps some corresponding offsets, so that all parties could come into agreement. You feel, Mr. Leavey, that this is particularly an argument right now, as between the companies and those represented by Mr. Scully, rather than the insurers, generally, or the general public?

MR. LEAVEY: Well I think, being realistic here, this Disability Insurance Act was sponsored by representatives of organized labor, principally those of the A.F.L. Since that time, of course, other representatives of organized labor have presented various proposals for changes in the benefit structure. I don't know just where some of the authors obtained bills, or for whom they are represented, but it seems to me that the proposed changes are broad enough to include careful consideration of all aspects if we are to still keep the Act sound.

CHAIRMAN GEDDES: We'll first hear from the committee if there's any objection, particularly from Mr. Condon, who is the particular author of these bills.

‡ U I, Unemployment Insurance
D.I, (Unemployment) Disability

MR. CONDON: As Mr. Leavey said, I have discussed this matter with both Mr. Leavey and Mr. Scully, and I have no objection. I think that probably A.B. 58, should also be included because that also touches on Disability Insurance. As far as I am personally concerned, it is perfectly agreeable with me for the matter to go off the calendar at this particular session of the committee, as long as it is necessary and if we can have some kind of hearings before next March on the subject of Disability Insurance.

MR. LEAVEY: We'll have them before that.

MR. CONDON: Yes.

CHAIRMAN GEDDES: It will be entirely possible, of course, for the committee to meet when we're here in January, by withholding from its final report, recommendation on these particular pieces of legislation. I also think we should contemplate, if agreement is made and the committee does make recommendation in favor of the proposed legislation, that it could be pretty well wrapped up in maybe one or two bundles instead of in as many different bills as we have here.

MR. LEAVEY: I would think that would be swell, Mr. Chairman.

CHAIRMAN GEDDES: However, I would like to point out, in order that some very valuable work, in my estimation, won't be entirely lost, that we have as a basis for our considerations the data filed immediately back of each of these bills, consisting of estimates by the Department of Employment and others on what the cost would be if these bills are passed, based on the data obtained at the date the estimates were made and that this should be shown when we make report on what's done here today.

MR. LEAVEY: Well, Mr. Chairman, it seems to me, those estimates necessarily tie in with whatever is ultimately worked out by way of agreement or otherwise with the representatives of organized labor and it seems to me that no purpose is served by spreading on your records or anybody else's, the detail of what the Department of Employment has filed. Some of those reports would clearly show there are certain pieces of legislation if enacted, the Department, insofar as D.I. on a current basis would be operating on a deficit basis, that is, their current outgo would exceed their current income Now, I think that the representatives of organized labor have taken the attitude that they don't stand for and are not arguing for deficit financing Therefore, I would think that that which we come in with after the December conferences will necessarily include a discussion for you gentlemen of what the costs will be and what those estimates are. I have no doubt, in conjunction with that, we will have conferences with the Department of Employment and I believe that we will probably be in accord. The labor people, management people, insurance people and the Department as to the probable, or estimated cost of whatever we may present.

MR. MALONEY: I move the request be granted, Mr. Chairman.

CHAIRMAN GEDDES: All right, moved by Mr. Maloney, seconded by Mr. Morris, that the request be granted.

MR DOYLE. On the motion, I think it would be well to add something to that motion I think inasmuch as Mr. Condon is familiar with this type of legislation and probably some other members of the committee, it might be well that they notify them when they have these meetings and you authorize them as a subcommittee to attend those meetings so that they will be in a position to come before this committee and explain it to us in our language. I think it would be well for them to be included in those meetings.

CHAIRMAN GEDDES: We don't need a motion on that. The Chairman can do it now and I would be very glad to if its . .

MR. DOYLE. Would you intend doing that, would you . . .

CHAIRMAN GEDDES: Yes, certainly.

MR. DOLWIG: Talking on the motion. I don't see why a subcommittee should spend the time with these gentlemen at these conferences, because the purposes of their conference is to give us the information. When they have resolved whatever differences they have, they will come to us and make their presentation, so I don't see what we would gain by having a sub-committee meeting with these groups.

MR DOYLE My only reason for making that suggestion is this, that somebody's got to carry this stuff on the floor and be in position—there'll be a lot of verbal stuff there that won't be in the report—they'd be in position to answer questions on the floor. There's no question but these bills are going to be controversial on the floor, regardless of whether capital and labor or industry and labor gets together on them. There's going to be some fellows on the floor that will be either pro or against them. And, I think it might be well to have somebody there that will know all the answers.

MR. MALONEY That's up to the author of the bill, he has to follow it through and know all the answers

CHAIRMAN GEDDES: I'd like to point out, just for the information of those who may be listening to this discussion, that in the files, adjacent to the copy of Assembly Bill No. 58, is an estimate which was filed with this committee, showing that if this bill is passed the estimated amount of Unemployment Insurance Benefit payments for the calendar year of 1951 would amount to 170 million. It was based on what I would assume to be a valid estimate and was made by a State Department. Now, if there are any changes in any of these estimates that have been used in making the calculations—which are certainly something that the committee should report—as non-controversial, but as having a direct bearing on the matter—any change in the effect, occasioned by passage of suggested and recommended legislation, then we want as part of the statement of agreement between the persons speaking here and who seek to speak later, their revisions to these figures, if they are other than these before the committee now.

MR. LEAVEY: Well, I would think, we certainly could do that. I think for clarity, for understanding and for purposes of having the whole thing that relates to this altogether, the committee itself

and the legislators who go through whatever report you file will find it much easier if you not make a partial report here based on the Department's estimates, but throw the whole thing together when you have a hearing late in December or January, when you come back here.

Certainly, as I indicated a few minutes ago, if there are changes in the proposed estimates, or if these proposals will change those estimates, I think that we can have gotten together with the Department of Employment and come in and spread the whole thing on the table before you gentlemen, at whatever meeting you set.

MR. DUNN: Before I vote on this motion, I'd like to have it clearly understood that the request of Mr. Leavey is concurred in by everyone who has an interest in it. We have Mr. Condon's statement, I think, that he is willing to defer consideration of the bills that he has authored on the subject of Unemployment and I think one on Disability Unemployment Insurance Is that correct 58?

MR. CONDON: Well, they're both on both, 58 and 59.

MR. DUNN: And Mr. Leavey has quoted the representatives of the A.F L. I think they should speak for themselves. I think if there's anyone else, who is representative of industry or of another employee group, they should also be on record before this committee votes on the thing. I think that we should be clear in our own minds at least, that in suspending further consideration of these bills that the interested parties may have an opportunity to compromise their differences and present legislation which will be supported, that we have heard from at least a majority of both sides. I'd like you to ask these other people, Mr. Chairman, if they will come forth and put themselves on record.

CHAIRMAN GEDDES · All right. Mr. Scully.

MR. SCULLY: Well, other than Mr. Condon's three bills, all the remaining bills are A.F.L. sponsored bills. It is my understanding, after speaking with Mr. Leavey and Mr. Haggerty that we are agreeable to the suggestion and we would join in the request that the committee postpone consideration until the end of December or January, so that the national group of the insurance companies interested can also be consulted and they can have an opportunity to discuss it with them. So, we would be on record as to the remaining bills requesting they be complete.

CHAIRMAN GEDDES · Now, let me point out before we hear from these other parties that this committee, when it was set up, had certain purposes or functions to perform.

By a resolution adopted by the Assembly, the bills which are the subject matter which is before us today, were specifically placed in our hands with the directive that we report thereon, and that report is going to be made on the fifteenth day of January, as far as the Chairman is concerned. I believe that the Legislature, if they're going to effectively use the information we provide them, has to have it in time for use in drawing bills and in making up their minds, and in deciding who are going to be the authors Therefore, I think we mustn't lose sight of the fact that if we adopt this motion it

is going to be with the understanding that the people here represented are those principally interested. The committee has complied with its directive, as far as these particular bills are concerned, in affording an opportunity for them to be heard and considered. I have no objection to this procedure, if all sides are in conformity with the suggestion or request made. Certainly the committee is in no position to insist that the proponent of a bill present it at this time if he doesn't care to. Furthermore, let me say, that all authors and co-authors of legislation, the subject matter of which we are considering, have been notified of this hearing and have been given this opportunity, so the record will be clear in that regard. Now, is there anyone who would like to speak before we put the motion? You may come forward at this time, if there is anyone.

Mr. Hawkins, will you identify yourself for the record, please?

MR. HAWKINS: F. H. Hawkins, representing the Life Insurance Association of America. The life companies are in thorough agreement with this proposal that has been outlined by Mr. Leavey and Mr. Scully and we would request, if the committee sees proper, a vote for the motion before the committee at the present time.

CHAIRMAN GEDDES: Mr Hawkins, is it your understanding that if we do this, it is only with two objectives in mind: One, to come to some agreement, if that is possible, and the other to give this committee additional valid information that we report back to the Legislature, as to costs and other effects and that will take the place of the information obtained to date on these bills and which we have taken at face value?

MR. HAWKINS: Exactly.

CHAIRMAN GEDDES: All right. Thank you, sir.

MR. GROEZINGER: Mr. Leland B. Groezinger speaking on behalf of the American Mutual Life and several of the other U.C.D. carriers. I just want to state that I'm in accord with what Mr. Leavey, Mr. Scully and Mr. Hawkins have just stated.

CHAIRMAN GEDDES: All right, that's very good. Mr. Knauft, do you have any statement?

MR. KNAUFT: John Knauft, representing the California Manufacturers Association. We would be thoroughly in accord with a thorough study of this through the joint meetings being arranged.

CHAIRMAN GEDDES: Thank you, sir. Is there anyone else?

MR. DUNN: Mr. Chairman, with reference to A.B. 79, I don't recall whether that one was on the list.

CHAIRMAN GEDDES: That's not on the list.

MR. DUNN: I note Mr. Kragen is representing several other bills, and with that exception that's all the people that appear to be named here.

CHAIRMAN GEDDES: Mr. Doyle, you're author of A.B. 88.

MR. DOYLE: Wait until I look and see. I think that's Brother Scully's bill.

CHAIRMAN GEDDES: Now, Mr. Brady, isn't present, though he was afforded the opportunity. Mr. Beck is a committee member

and hasn't appeared though he has been placed on notice. Mr. Doyle accedes. Mr. Meyers is a committee member and he isn't present.

MR. MALONEY: I assume, Mr. Chairman, that this committee is going to meet, take all these bills into consideration and relieve the Chairman of all of that work and then put in a report to you on how they feel about the program that they may come to a conclusion on. I said "may," I didn't say they "would."

CHAIRMAN GEDDES: It comes down to the question I put a few minutes ago and that is that there are two things we want. One, is a report on any agreement reached and, two, a thorough analysis of the matter of costs, something valid which we can report to the Legislature.

MR. MALONEY: Not only that, following out your suggestion, I think it's essential they get a report in here earlier than anticipated today. You cannot afford to put your report in later than January the 15th, for the simple reason that we will be limited to 120 days at this session, so, the sooner it's in the better for everyone concerned.

CHAIRMAN GEDDES: I'd like to have it included in the motion, that any such report made to the Chairman of this committee, must be made not later than January 1st.

MR. MALONEY: That's all right.

CHAIRMAN GEDDES: Is that all right with the proponents? Is there any further discussion?

MR. BRADY: One thing, Mr. Chairman, I hear constant conversation about getting accurate figures from the insurance companies and those interested. Shall we not also perhaps recommend policy? Because do not some of these bills contain policies that differ from current policies?

CHAIRMAN GEDDES: Can you answer that, Mr. Scully, or . . .

MR. SCULLY: I think that very definitely is the case, or subject to.

CHAIRMAN GEDDES: Policy is one matter of controversy and costs another. Statistics must be posed on estimates which we believe to be correct or assumptions which are valid under the circumstances.

MR. LEAVEY: Mr. Chairman, that I may understand the suggestion made. The report would be filed by January 1st? Now, the thing which we were proposing, is that whatever conclusions we reach, we would report. I had presumed that another open meeting of this kind of this committee would be held. Now, do I understand that the committee is asking that whatever is determined upon be reduced to writing and filed, rather than having another meeting of this kind with the committee?

CHAIRMAN GEDDES: That is right. Then when we come up here on January 8th, I will call this committee together again, because I doubt that it's going to be possible to get a full committee

hearing here, or anywhere else in California before we come up in January.

It's just too hard to get thirteen members, or even the ten such as we have today, together all at one time in one place. We will be here on January 8, which will give us time to hold one hearing, or two hearings, during the first part of the session, when we don't have regular committee work, and still make our report and have it included in our printed report to the Legislature. If we can't get it done by the first of January, we should go ahead and give consideration to each of these bills now, or we're going to have a hole in our obligation to the entire Legislature that will be big enough to drive a truck through.

CHAIRMAN GEDDES: Are you ready for the question? All in favor, as proposed? (Voted unanimously) It is so ordered."

In the interval which followed the November hearings, the executive secretary of this committee and the chairman were several times in communication with Mr Scully and Mr Groezinger, who, it appeared, seemed to be the spokesmen of the insurance carriers as far as it had come to our notice.

The purport of these letters was that various meetings had been held and that it appeared that a basis of agreement would be reached but that in view of the necesstiy of presenting any final agreement to various memberships of the California State Federation of Labor and also of obtaining the final approval of the insurance carriers whose home offices were on the East Coast, it would not be possible to file the complete report with the chairman in time for him to conduct hearings in December In January, 1951, the same condition continued, as it did during the constitutional recess of the 1951 Session However, about the end of February, the chairman received a telephonic communication from Mr. Scully informing him that it appeared likely that the matter could be reported within the next few days. Accordingly, the chairman met with Mr. Scully and Mr. Groezinger in Los Angeles on March 2d, and received a verbal report that agreement had been reached, and the points of agreement were sketched in.

On his return to the Capitol on March 8th, prior to the opening of the Session, the chairman received from Mr. Scully and Mr Groezinger the following communication dated March 7, 1951:

"DEAR MR. GEDDES:

You will recall that at the hearing of the interim committee in Sacramento in November, 1950, when the committe was about to consider certain proposed bills referred to it by action of the previous session dealing with disability insurance, the sponsors of the legislation and representatives of interested groups, including the insurance companies, advised the committee that their groups had been meeting in the hope of reaching a compromise which would eliminate the necessity of hearings on all of this type of legislation. You, as chairman, and your committee, were gracious enough to postpone consideration of these bills conditioned upon a report to yourself and the Committee on such meetings.

Since that time a series of additional meetings have been held between the groups both in San Francisco and Los Angeles, at which were present, representing the sponsors of the bills, Mr. C. J. Haggerty, Secretary of the California State Federation of Labor, A.F.L., Mr Thomas Pitts, President of the Federation, Mr. Wendell Phillips, Chairman of the Committee on Resolutions of the Federation, and Mr. Charles P. Scully, General Counsel of the Federation, and representatives of the other interested groups consisting of Mr. Clarence Tookey, Actuarial Vice President of the Occidental Life Insurance Company of California, Mr. Perry Taft, Mr Frederick Hawkins, and Mr. Leland B Groezinger, counsel for various insurance trade associations and independent carriers

We are glad to advise you that agreement has been reached between these parties which we believe will fairly and equitably dispose of the subject matter of the bills referred to this committee and will eliminate the necessity of any extended hearings or controversy on this subject matter at the coming session of the Legislature. Attached you will find a complete bill incorporating the agreements reached at such meetings which, on the one hand, will afford liberalization of benefits to the employees covered under the program and, on the other hand, afford equitable relief to other interested groups, without in any way endangering the solvency of the funds from which benefits are paid

It is our understanding that the department will be in a position to submit to you statistical information which will establish our belief that the attached bill will not endanger the solvency of the fund from which these benefits are payable. For your convenience, we have enclosed an additional copy of the bill which you may submit to the department for such purpose if you desire.

We desire at this time to express our sincere appreciation to you and to your committee for the courtesy afforded to us and the cooperation shown, without which we are certain this most desirable compromise could not have been accomplished.

Very truly yours,

/s/ CHARLES P SCULLY
/s/ LELAND B GROEZINGER"

The chairman determined to poll the committee as to whether or not the various members favored the proposed legislation This, in effect, would indicate approval or disapproval of the suggestions made by the interested parties by allowing members of the committee to become co-authors with him of the proposed bill However because of the announcement by the Speaker that "sponsors" of legislation introduced after the recess would be considered as authors, and thus, each member signing would lose a "spot," he determined to introduce the bill without co-authors. However Mr. Maloney and Mr. Dunn have joined with him as co-authors of Assembly Bill 3376 which was introduced on the fourteenth day of March, 1951 and referred to the Assembly Standing Committee on Finance and Insurance. The text of the bill follows:

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

ASSEMBLY BILL No. 3376

Introduced by Messrs. Geddes, Maloney, and Dunn

March 14, 1951

REFERRED TO COMMITTEE ON FINANCE AND INSURANCE

An act to amend Sections 44.2, 151, 203, 208, 209, 400, and 456 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

The people of the State of California do enact as follows:

SECTION 1. Section 44.2 of the Unemployment Insurance Act is amended to read:

Sec. 44.2. (a) The provisions of Section 44 of this act requiring the payment of worker contributions shall not apply to ~~that part of remuneration which, after remuneration equal to three thousand dollars ($3,000) has been paid to an individual by an employer with respect to employment during any calendar year, is paid after December 31, 1939, and prior to January 1, 1947, to such individual by such employer with respect to employment during such calendar year, or~~ that part of the remuneration which, after remuneration equal to three thousand dollars ($3,000) with respect to employment after 1939 has been paid to an individual by an employer during any calendar year after 1946 *and prior to 1952,* is paid to such individual by such employer during such calendar year *; or that part of the remuneration which, after remuneration equal to three thousand six hundred dollars ($3,600) with respect to employment after 1939 has been paid to an individual by an employer during any calendar year after 1951, is paid to such individual by such employer during such calendar year*.

~~(b) If by reason of a worker rendering service for more than one employer during any calendar year after the calendar year 1943, the wages of the worker with respect to employment during such year exceed three thousand dollars ($3,000), the~~

~~worker shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by Section 41, deducted from such wages and paid to the commission, which exceeds the tax with respect to the first three thousand dollars ($3,000) of such wages received. Refunds under this subdivision shall be made by the commission if the worker (i) makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of tax is claimed, and (ii) such claim is made within six months after the calendar year in which the wages are received with respect to which refund of tax is claimed. No interest shall be allowed or paid with respect to any such refund. No refund shall be made under this subsection with respect to wages received after December 31, 1946.~~

~~(c)~~ *(b)* If, by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1946 *and prior to the calendar year 1952,* the wages received by him during such year exceed three thousand dollars ($3,000), and the sum of the amount of tax imposed by Section 44 plus the amount of contributions under Section 456, if any, deducted from such wages exceeds thirty dollars ($30), the employee shall be entitled to a refund of the amount of such excess. *If, by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1951, the wages received by him during such year exceed three thousand six hundred dollars ($3,600), and the sum of the amount of tax imposed by Section 44 plus the amount of contributions under Section 456, if any, deducted from such wages exceeds thirty-six dollars ($36), the employee shall be entitled to a refund of the amount of such excess.*

(c) Refunds under ~~this~~ subdivision *(b)* shall be made by the commission from the Disability Fund if, within six months after the calendar year in which the wages are received with respect to which refund is claimed, the employee makes a claim establishing his right thereto. No interest shall be allowed or paid with respect to any such refund. The commission shall in accordance with authorized regulations determine the portion of the aggregate amount of such refunds made during any calendar year which is applicable to voluntary plans for which deductions were made under Section 456, such determination to be based upon the relation during the preceding calendar year of the amount of wages subject to contributions to the Disability Fund to the amount of wages exempt from contributions to the Disability Fund under Section 455. The commission shall in accordance with authorized regulations prorate such aggregate amount among the applicable voluntary plans and shall assess and recover from the employer, or the insurer if the insurer has indemnified the employer with respect thereto, the amount so prorated. The provisions of Section 459 in respect to assessment and recovery of amounts paid by the Disability Fund shall apply to the assessments under this section.

SEC. 2. Section 151 of the Unemployment Insurance Act is amended to read:

Sec. 151. (a) Except as otherwise provided, the provisions and definitions of Articles 1 to 9, inclusive, of this act apply to this article. In case of any conflict between the provisions of Articles 1 to 9, inclusive, and the provisions of this article, the provisions of this article shall prevail with respect to unemployment compensation disability benefits and the provisions of Articles 1 to 9, inclusive, prevail with respect to unemployment compensation benefits.

(b) The provisions of Article 3 of the act do not apply to this article.

(c) Sections 52, 55, 57, and 57.5 of the act do not apply to this article.

(d) Subdivisions (f), (g), (h), (i), (j), and (m) of Section 6 of the act do not apply to this article.

(e) An individual who is disqualified from receiving unemployment compensation benefits under Section 58 of this act shall be presumed to be ineligible to receive unemployment compensation disability benefits under this article for the same period or periods unless the individual establishes to the satisfaction of the commission that he is suffering a bona fide illness or injury and the commission finds that there is good cause for paying such benefits.

(f) *An individual who is disqualified from receiving unemployment compensation benefits under Section 56 of this act shall be presumed to be ineligible to receive unemployment compensation disability benefits under this article for the same period or periods unless the individual establishes pursuant to authorized regulations that his alleged disability was not caused by and did not arise out of the trade dispute and that the alleged disability would hae occurred and would have prevented him from continuing his work if the trade dispute had not occurred. Such an individual shall, except as provided in Section 252, be subject to examination without cost to him by a medical examiner selected by the department, the insurer or self-insurer as the case may be to determine whether the conditions hereinabove set forth have been met.*

SEC. 3. Section 203 of the Unemployment Insurance Act is amended to read:

Sec. 203. The total amount of unemployment compensation disability benefits and the weekly benefit amount payable to an eligible individual under this article during any one benefit year shall be computed in accordance with the provisions of Sections 53 and 54 of this act~~.~~ *; provided, however, that for periods of disability commencing on and after January 1, 1952 an individual's weekly benefit amount, for the purpose of computing unemployment compensation disability benefits, shall be the amount appearing in column B in the table set forth in this section on the line of which, in column A of such table, there appears a wage bracket containing the amount of*

wages paid to such individual for employment by employers during the quarter of his base period in which such wages were the highest:

A	*B*
Amount of wages in highest quarter	*Weekly benefit amount*
$75–$579.99	*As provided in Section 54*
580– 611.99	*$25*
612– 643.99	*26*
644– 675.99	*27*
676– 707.99	*28*
708– 739.99	*29*
740– 771.99	*30*
772– 803.99	*31*
804– 835.99	*32*
836– 867.99	*33*
868– 899.99	*34*
900 and over	*35*

SEC. 4. Section 208 of the Unemployment Insurance Act is amended to read:

Sec. 208. ~~No individual shall be paid unemployment compensation disability benefits with respect to any week if he continues to receive his regular wages, or any part thereof; provided, however, that if such wages are less than the unemployment compensation disability benefits which would otherwise be due, he shall be entitled to receive for such week, if otherwise eligible, unemployment compensation disability benefits, reduced by the amount of such wages. Such benefit, if not a multiple of one dollar ($1), shall be computed to the next higher multiple of one dollar ($1).~~

An individual who would have been paid unemployment compensation disability benefits for any day except for his receipt of remuneration from his employer shall nevertheless be paid unemployment compensation disability benefits up to his maximum benefit amount for such day in an amount which, together with any remuneration he receives from his employer for such day, does not exceed his regular daily remuneration immediately prior to the commencement of his disability.

SEC. 5. Section 209 of the Unemployment Insurance Act is amended to read:

Sec. 209. Commencing January 1, 1950, any disabled individual eligible for benefits under Article 10 of this act shall, during his confinement in a hospital, be entitled to receive in addition to all benefits otherwise provided in this act, *and irrespective of his receipt of remuneration from his employer,* the amount of eight dollars ($8) for each day not in excess of twelve (12) days in any one benefit year, during which he is so confined pursuant to orders of his physician; and any such

individual shall not be subject to any waiting period requirement as a condition precedent to the receipt of any benefits under Article 10 of this act during the disability which caused such confinement.

SEC. 6. Section 400 of the Unemployment Insurance Act is amended to read:

Sec. 400. On and after the effective date of this article each individual performing services for an employer in employment shall contribute to the Disability Fund established by this article the contributions required of such individual by Sections 44 and 44.2 of this act.

For the purposes of Sections 44 and 44.2 of this article, the term "wages" means wages as defined in Section 11, except that it shall not include remuneration in excess of three thousand six hundred ($3,600) paid to an individual by an employer during any calendar year after 1951.

SEC 7. Section 456 of the Unemployment Insurance Act is amended to read:

Sec. 456. An employer may, but need not, assume all or part of the cost of the plan, and may deduct from the wages of an employee covered by the plan for the purpose of providing the disability benefits specified in Part 2 and the costs as set forth in Section 460 of this article an amount not in excess of that which would be required by ~~Section 44~~ *Sections 44 and 44.2 of this article* if the employee were not covered by the plan ~~.~~ *; provided, however, that as to each individual covered by a voluntary plan on January 1, 1952, the amount of such deduction on and after January 1, 1952, may be increased to a maximum of 1 percent of three thousand six hundred dollars ($3,600) annual taxable wages without any further consent of such individual or approval of the department.*

SEC. 8. Section 209.1 is added to the Unemployment Insurance Act, to read as follows:

Sec. 209.1. When an individual is furnished or is compensated for hospitalization pursuant to the Workmen's Compensation Law or an employer's liability law of this State or of any other state or of the Federal Government he shall be ineligible to receive the eight dollars ($8) per day as provided in Section 209 for any day for which he is receiving or is eligible to receive in the form of cash payments benefits under the Workmen's Compensation Law or an employer's liability law of this State or of the Federal Government or for which he is serving any waiting period required by any such law.

SEC. 9. Section 310 is added to the Unemployment Insurance Act, to read as follows:

Sec. 310. (a) Each insurer insuring approved voluntary plans shall report to the department on or before December 1, 1953 and each December 1st thereafter, the amount of premium tax it has paid to the State of California under the Constitution or laws of the State of California on all premiums received by it for unemployment disability insurance based on wages paid during the preceding calendar year. The department shall keep

a separate account for each such insurer and, subject to the provisions of subdivision (b) hereof, shall credit to that account all sums so reported and charge said account with the amount of the insurer's assessments under Section 309 which are based on wages paid on and after January 1, 1952. To the extent that there are credits to such account, such assessments shall be deemed collected.

(b) In the event the total amount of premium tax reported by all such insurers in accordance with subsection (a) hereof exceeds seven hundred fifty thousand dollars ($750,000) for any year, the amount to be credited to each such insurer's account for such year shall be determined by multiplying the amount of such premium tax so reported by each insurer by a fraction composed of seven hundred fifty thousand dollars ($750,000) as numerator and such total amount of premium tax as denominator.

SEC. 10. Section 310.5 is added to the Unemployment Insurance Act, to read as follows:

Sec. 310.5. Notwithstanding any other provisions of this act, whenever an approved voluntary plan is insured by an admitted disability insurer, the insurer shall be substituted for the employer with respect to any assessments under this act which relate to the portion of the voluntary plan insured by such insurer.

SEC. 11. Section 452.5 is added to the Unemployment Insurance Act, to read as follows:

Sec. 452.5. Whenever eighty-five percent (85%) of the employees to whom a plan is available have consented to the plan, the employer, a majority of the employees employed in this State of the employer, or both, may elect to make the plan applicable to all employees to whom it is available, except those who reject the plan. Such a plan may provide for deductions from the wages of employees covered by the plan but not in an amount in excess of that which would be required by Sections 44, 44.2 and 400 if the employees were not covered by the plan.

In such case, there shall be filed with the commission a notice stating that the requisite percentage of employees has consented to the plan and fixing the date upon which the plan will become applicable to all employees to whom it is available. At least 10 days before the date fixed in the notice so filed, a notice shall be posted and circulated in such manner as is reasonably calculated to bring it to the attention of all employees to whom the plan is available but who have not consented thereto. The notice to such employees shall set forth the date the plan is to become applicable and the manner in which an employee may reject it.

From the time fixed in the notice filed with the commission all employees to whom the plan is available shall be deemed to have elected to be covered by the plan, except those who advise the employer in writing of such rejection within the time so fixed.

Every person employed after the time so fixed, and to whom the plan is available, shall be deemed to have elected to be covered by the plan from the time of employment unless he rejects the plan prior to or at the time of employment. Each such employee at the time of employment shall be given a written notice specifying his right to consent to or to reject such plan and a written statement setting forth the essential features of the plan.

The form of the statement and the forms of the notices hereinabove required under this section shall be approved by the commission.

Any employee covered by a plan may withdraw from the plan as of the beginning of any calendar quarter upon giving reasonable notice in writing directed to the employer.

SEC. 12. The amendments to Sections 151, 208 and 209 and the additions of Sections 209.1 and 452 5 of the Unemployment Insurance Act as provided in this act shall become operative as of January 1, 1952.

SEC. 13. Sections 1 through 12, inclusive, of this act are declared to be inseparable and if any such section is declared to be inoperative then each of the remaining sections of this bill shall immediately become inoperative

O

The explanation of the bill is as follows:

SUMMARY OF ASSEMBLY BILL NO. 3376

1. Raises the maximum weekly benefit amount of disability benefits to $35 per week. To be entitled to the maximum weekly benefit amount a claimant must have earned $900 in the highest quarter of his benefit year, or approximately $70 per week.

2. Raises maximum employee contributions from 1 percent of $3,000 to 1 percent of $3,600.

3. Modifies present provision which prohibits payments when claimant is in receipt of regular wages so as to allow claimant to receive a total amount of benefits and partial wage or salary continuance which total amount does not exceed claimant's normal earnings

4 Modifies trade dispute disqualification to allow payment of benefits during trade disputes when disability is not caused by and does not arise out of the trade dispute and would have occurred regardless of trade dispute

5. The State Fund pays no acquisition cost or premium tax. This amendment, through credit off-sets, tends to equalize the competitive position of private underwriters with the State Fund without reducing state General Fund revenues.

6 Facilitates voluntary plan coverage by providing for automatic coverage of all eligible employees where 85 percent of the eligible employees of a particular employer have consented to the plan. Each employee is given the privilege to refuse to be covered and the right to withdraw at any time

The provisions of the bill would become effective January 1, 1952

The Department of Employment was asked by the chairman to furnish us with an estimate of what the provisions contained in the bill would do to the solvency of the Unemployment Disability Fund. This estimate appears immediately following together with the letter accompanying it:

March 20, 1951
57:14:jb

Honorable E R Geddes, Chairman
Assembly Interim Committee on Finance and Insurance
State Capitol, Sacramento, California

DEAR MR GEDDES: In accordance with your request, we have prepared estimates (attached) of the effect of AB 3376. These estimates were prepared on two bases, namely: the effect on the State Disability Fund had the provisions of AB 3376 been operative during calendar year 1950; and its effect in a future year in which the maximum potential developments have occurred The latter estimate is based upon our forecasts of employment, unemployment and disability claims for 1951.

You also asked for information regarding coverage under voluntary plans of disability insurance As of March 1, 1951, there were 36,727 plans *insured* by 46 admitted disability insurers, with 1,244,834 employees eligible for coverage as of the date of approval of such plans As of that date there were also 61 *self-insured* plans in effect with 53,266 employees eligible for coverage under such plans as of the date of approval, making a total of 36,788 voluntary plans of both types with 1,298,100 eligible employees As of February 15, 1951, it is estimated that of the 2,608,000 employees who were working in covered employment approximately 1,309,900 were covered by the State Disability Fund.

If you desire any further information, please do not hesitate to call upon us.

Very truly yours,

/s/ C. A. HERBAGE
Deputy Director

State of California
Department of Employment
Report 421 #65
AB 3376

Research and Statistics
March 20, 1951

Proposed Changes in Revenue and Benefit Provisions for Disability Insurance

The probable changes in amount of Fund income and benefit payments that would result from the proposals in AB 3376 can be set out either as a modification of recent actual experience, or as a part of an income and payment estimate for a future year for which it is assumed that the full developments to be expected as a result of the proposals have occurred. In the first case, it is not appropriate to assume any increase in filing rates or any changes in the provisions of existing wage continuation plans. In the latter case, it is necessary to assume that filing rates will have increased as a result of the improved benefits and existing wage continuation plans will have been modified to supplement disability insurance payments in preference to letting the wage continuation be supplemented by the disability payments.

Given below are estimates of (a) the effects of AB 3376 as a modification of 1950 experience and (b) the ultimate effects of AB 3376 in a future year in which expected 1951 income and expenditures are used as a basis and the full extent of developments likely under AB 3376 have been taken into account.

	Estimates for 1950	*Estimates for a future year*
Balance in Disability Fund on January 1	$96.1 million	xxx
Estimated disability fund income under proposal		
A. Total revenues under Act as in effect in 1950	$36.6 million	$37.0 million
B. Additional estimated fund income from taxing wages of $3,001 through $3,600 in calendar year	$2.1 million	$2.3 million
	$38.7 million	$39.3 million
C. Less amount of proposed credit to extended liability account for carriers' taxes	$0.7 million	$0.7 million
D. Estimated Total Disability Fund income if AB 3376 had been fully in effect in year	$38.0 million	$38.6 million
Estimated Expenditures under Proposal		
Basic benefits		
1. Basic benefits paid under present provisions of the Act	$23.7 million	$24.0 million
2. Additional estimated cost of increasing weekly benefit amount by $1 above $25 for each $32 above $580 in high quarter earnings, up to $35 maximum	$4.3 million	$5.8 million
3. Additional estimated cost of supplementing wage continuation plans	$1.8 million	$3.9 million
4. Additional estimated cost of allowing benefits regardless of trade dispute status	$0.1 million	$0.3 million
Hospital Benefits		
5. Hospital benefits paid under present provisions of the Act	$2.7 million	$2.8 million
6. Additional estimated cost of providing hospital benefits regardless of wage continuation	$0.2 million	$0.4 million
7. Additional estimated cost of providing hospital benefits regardless of trade dispute status	$10,000	$30,000
Administrative Costs	$2.6 million	$2.6 million
Estimated Balance in Disability Fund on December 31, if AB 3376 had been in effect	$98.7 million	xxx
Estimated change in Fund Balance during year	$2.6 million increase	$1.2 million decrease

This complete explanation of the matter is made here because of the fact that Assemblyman Levering, member of the committee, in a purported interview to the press, as it appeared in the *San Francisco Examiner* for March 16, 1951, stated "My information, from sources in which I have the utmost confidence, is that this agreement was hatched in a San Francisco hotel room during the early morning hours of January 2nd * * *". The inference of the article was that the representatives of the insurance companies had been "black jacked" into agreement.

Without trying the merits of the case here we should note that in legislation now before the Legislature the committee followed the procedure of submitting from state departments legislation which had been agreed to by the departments or commissions and interested members of industry. We refer particularly to those bills introduced at the request of the Insurance Commissioner after he had conducted industry meetings and hearings and a basis of agreement had been reached. Likewise there are bills, one of which, Assembly Bill No. 51, has already become law, which were the result of labor-management-department conferences held by the Department of Employment. There is also legislation introduced at the request of the Commissioner of Corporations resulting from his conferences with members of various industries. Therefore there is nothing any more untoward in the representatives of labor and the insurance carriers getting together and seeking to iron out their differences than there is in the other instances quoted. In view of the fact that this bill, Assembly Bill No. 3376, embodies the agreement between the most interested parties we have not burdened this report with a discussion of the various bills upon which consideration was deferred.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Dewey L. Strickler of Long Beach.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to the following engineers of municipally owned public utilities: Roy O. Van Meter, Los Angeles; C. Edmunds, Truckee; Elbert E. Dick, Redding; E. L. Bettamier, Pasadena; Dewey L. Strickler, Long Beach; Leo A. Stromee, Los Angeles; Carl L. Richey, Sacramento; J. H. McCambridge, Burbank; Lauren W. Grayson, Riverside; F. V. Frey, Pasadena; John Hansen, Alameda; G. A. Baxter, Alameda; B. J. Brusatori, San Rafael; Cliff Plummer, Modesto; and James Peters, San Rafael.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Henry Beck of San Francisco.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. Everett Cahill, Miss Shelia Cahill, and Brian Cahill of San Francisco.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jack Unger of Chula Vista.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Meyer Pransky and Irwin Pransky of Los Angeles.

ADJOURNMENT

At 12 m., on motion of Mr. Dickey, the Acting Speaker, Hon. Charles W. Lyon, declared the Assembly adjourned, until 10 a.m., Monday, March 26, 1951, out of respect to the memory of the late Judge Herbert Wilson Erskine, and in respect to the observance of Holy Week.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 26, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

"*Our Father, which art in Heaven, hallowed be Thy name.* Prepare us for the duties of this day. Help us to forget the things that are behind and anything that hinders us. We would press toward those things which are before Set before us the mark for the prize of our high calling of God in Christ Jesus We remember our families and loved ones before Thee.

Guard those who serve as defenders of our beloved Nation Grant guidance to all those who bear the burden of leadership and responsibility.

"O Trinity of love and power,
Our brethren shield in danger's hour;
From rock and tempest, fire and foe,
Protect them wheresoe'er they go;
Thus ever let there rise to Thee
Glad hymns of praise from land and sea
In His name"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lanterman, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Stewart, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Kirkwood, on motion of Mr. Erwin.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following telegram was received, read, and ordered printed in the Journal:

SAN DIEGO, CALIFORNIA, March 25, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento

Citizens of San Diego County demand full explanation or investigation of alteration of committee's recommendation and official records on reapportionment affecting our county. Please advise.

CLINTON D. McKINNON, M.C.
Twenty-third Congressional District

ANNOUNCEMENT

Speaker Sam L. Collins announced, in reference to the telegram which appears above, that members of this House will welcome an investigation relative to the alleged alteration of committee amendments to Assembly Bills Nos. 41 and 42.

No alterations were made in the amendments. The amendments adopted by the Committee on Elections and Reapportionment were the amendments which appeared in the preprint bills; but which, due to an inadvertence, were not the sets of amendments which were placed across the desk, ordered printed in the Journal, and adopted by the Assembly.

In order that the amended bills might truly reflect the action taken by the Assembly in adopting the amendments, despite the fact that the amendments adopted were not correct, it was necessary that the bills be corrected.

The action of the Assembly subsequently expunging the record and correcting its own mistake placed the last amended bills in the same condition as the preprints, which contained the amendments adopted by the committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 94
Assembly Bill No. 835
Assembly Bill No 1153
Assembly Bill No. 1222
Assembly Bill No. 1751
Assembly Bill No. 1838
Assembly Bill No. 2061
Assembly Bill No. 2079
Assembly Bill No. 2135
Assembly Bill No. 2472
Assembly Bill No. 2720
Assembly Bill No. 2808
Assembly Bill No. 3270

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No 41
Assembly Bill No 42
Assembly Bill No. 300
Assembly Bill No. 631
Assembly Bill No. 1605
Assembly Bill No. 2920
Assembly Bill No. 3240

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 1

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 6
Assembly Bill No. 1004
Assembly Bill No. 3108

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1951

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1314

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 94, 1751, and 1838 re-referred to the Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 5 re-referred to the Committee on Constitutional Amendments.

Assembly Bills Nos 835 and 2061 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1153 and 2720 re-referred to the Committee on Conservation, Planning, and Public Works

Assembly Bills Nos 2808 and 2079 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1222, 2135, 2472, and 3270 re-referred to the Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 44
Senate Bill No. 45
Senate Bill No. 402
Senate Bill No. 489
Senate Bill No 494
Senate Bill No. 666
Senate Bill No. 1231
Senate Bill No. 1254
Senate Bill No. 1255
Senate Bill No. 1466

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 44—An act to amend Section 16 of the District Investigation Act of 1933, and Section 58700 of the Government Code, relating to the termination of proceedings upon the filing of written protests by a majority of property owners and authorizing withdrawals of protests prior to the time set for hearing thereon.

Referred to Committee on Municipal and County Government.

Senate Bill No. 45—An act to repeal Section 74.1 to 74.10, inclusive, of the Orange County Water District Act, relating to the manner of excluding from the district lands annexed to a metropolitan water district organized under the Metropolitan Water District Act.

Referred to Committee on Municipal and County Government.

Senate Bill No. 402—An act to amend Sections 14575 and 14632 of the Education Code, relating to retirement allowances under the State Teachers' Retirement System.

Referred to Committee on Education.

Senate Bill No. 489—An act to amend Section 26 of the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 494—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 666—An act to amend Section 5062 of, to repeal Section 5063 of, and to add Section 5063 to, the Education Code, relating to state school building aid.

Referred to Committee on Education.

Senate Bill No. 1231—An act to amend Section 1079 of the Agricultural Code, relating to economic poisons.

Referred to Committee on Agriculture.

Senate Bill No. 1254—An act to amend Section 67 of the Agricultural Code, relating to the administration of the provision of said code.

Referred to Committee on Agriculture.

Senate Bill No. 1255—An act to amend Section 92.5 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Senate Bill No. 1466—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 838—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 839—An act to amend Section 37904 of the Government Code, relating to city public works contracts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 965—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1721—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Bill read second time, and ordered engrossed

Assembly Bill No. 1872—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices

Bill read second time, and ordered engrossed

Assembly Bill No. 753—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work.

Bill read second time, and ordered engrossed.

Assembly Bill No. 754—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1270—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1273—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales.

Bill read second time, and ordered engrossed

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Bill read second time, and ordered engrossed

Assembly Bill No. 434—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 435—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 436—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 441—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 442—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 469—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 470—An act to add Section 17358 to the Revenue and Taxation Code, relating to the taxation of persons, trusts and estates, and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 558—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal incomes taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 561—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations

Bill read second time, and ordered engrossed.

Assembly Bill No. 562—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 563—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, 23701j, and 23702*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d, and 23731e of Part 11 of

Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 564—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 565—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 568—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 569—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 570—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed

Assembly Bill No. 571—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 572—An act to amend Section 23253 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 578—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections

23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 580—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 60—An act to add Article 8.5, comprising Sections 31690 to 31692, inclusive, to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the members of county employees' retirement systems in respect to employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, after "service", insert "in a county having a population of less than 500,000".

Amendment No. 2

On page 2, line 11, of said bill, after "service", insert "in a county having a population of less than 500,000".

Amendment No. 3

On page 2, line 25, of said bill, strike out "_____", and insert "1953".

Amendment No. 4

On page 2, line 48, of said bill, after "service", insert "in counties having a population of less than 500,000".

Amendment No. 5

On page 2, line 50, of said bill, after "service", insert "in counties having a population of less than 500,000".

Amendment No. 6

On page 2, line 51, of said bill, strike out "the several", and insert "those"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3032—An act to add Section 27645 to the Government Code, relating to the duties of county counsels

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "council", and insert "counsel"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1618—An act to amend Sections 625, 640, 645, 660, and 675.5 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, after "amber", insert "or red".

Amendment No. 2

On page 1, line 15, of said bill, strike out "carried", and insert "carrier"

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 1619—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, after "vehicle", insert "subject to registration and operated".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1620—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "nor more than two stop lamps", and insert "stop lamp".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 437—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318 6 to and to add Article 2.5,

consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732, and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1.5, consisting of Sections 18121, 18122, 18122.1, 18122.2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132.6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 8, line 4, of the printed bill, after "after", strike out "December 31, 1950", and insert "February 26, 1945".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 438—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736.2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o 1, 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 11, line 8, of said bill, after "the", strike out "granting", and insert "transfer of a share of stock pursuant to the exercise".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 560—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 8, of the printed bill, after "by", insert "(a) the net income of the preceding income year or (b)".

Amendment No. 2

On page 1, line 9, of the printed bill, after "such", in strikeout type, strike out "the".

Amendment No. 3

On page 1, line 9, of the printed bill, after "income", strike out "of the preceding".

Amendment No. 4

On page 1 of the printed bill, at the beginning of line 10, strike out "income year".

Amendment No. 5

On page 1 of the printed bill, at the end of line 12, strike out "." and insert in lieu thereof ",".

Amendment No. 6

On page 1 of the printed bill, at the beginning of line 13, insert "whichever is the lesser amount"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 574—An act to add Sections 23222a, 24121k.1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 5, line 18, of the printed bill, after "tax", insert "measured by net income"

Amendment No. 2

On page 5, line 21, of the printed bill, after "tax", insert "measured by net income".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 485—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 5, of the printed bill, after "State", strike out "or any of its political".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "subdivisions"

Amendment No. 3

On page 1, line 10, of the printed bill, after "other", insert "similar"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 537—An act to amend Section 2928 of the Labor Code, relating to employment relations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1 Section 2928 of the Labor Code is hereby repealed".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 183—An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to the powers and duties of counties, cities, districts, municipal corporations, political subdivisions, public corporations, and other public agencies of the State and the legislative bodies thereof, and authorizing the acquisition, construction, maintenance and operation of public improvements and the issuance and sale of revenue bonds to finance the same and providing for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public improvements so financed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code relating to the powers and duties of public agencies of the State, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, and the powers and duties of the legislative and governing bodies thereof, and authorizing the issuance and sale by such public agencies, or by any combination of such public agencies, of revenue bonds to finance public improvements, and expenditures incidental thereto."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1 Chapter 5.5 is added to Part 1 of Division 2 of Title 5 of the Government Code, to read:

CHAPTER 5.5 PUBLIC AGENCIES REVENUE BOND LAW.

Article 1.

General

54150 This chapter may be cited as the Public Agencies Revenue Bond Law.

54151. This chapter shall be liberally construed to carry out its objects and purposes and to facilitate the financing of public improvements as herein defined through the medium of revenue bonds, and to protect the holders of such bonds.

54152. As used in this chapter, "public agency" means any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local.

54153. As used in this chapter, "public improvement" means any revenue producing public work, undertaking or improvement, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public work, undertaking or improvement, and *shall include maintenance, repair and operation of any such public work, undertaking or improvement.*

54154. As used in this chapter, "legislative body" means the board of supervisors in the case of a county or city and county, the city council, board of trustees or other legislative body in the case of a city, and the board of directors or other governing body in the case of a district or other public agency which has such a board of directors or other governing body. In the case of a public agency which is itself a board, "legislative body" means such board In the case of any other public agency, "legislative body" shall mean the board or officer having control of the expenditure of the funds of such public agency.

54155. As used in this chapter, "bonds" means the written evidence of any obligation incurred by a public agency pursuant to this chapter, payable out of revenues, either alone or with other sources of payment specified in Section 54175.2, in order to secure funds with which to finance any public improvement, irrespective of the form of such obligation whether in the form of bonds, notes, debentures, interest bearing certificates, or other forms prescribed by the legislative body.

54156. As used in this chapter, "revenue" means all fees, rates, charges, rentals, or other income and revenue actually received or receivable by or for the account of the public agency from the operation of any revenue producing public works, including without limiting the generality of the foregoing, interest allowed on any money or securities in which any revenues or other moneys applicable to the payment of such bonds may have been invested, any proceeds derived from the sale of any such securities, and any consideration in any way derived from any such revenue producing public works owned, controlled, operated or maintained by the public agency

54157. When any public agency is now or hereafter authorized by law to undertake any public improvement, either by itself or in conjunction with any other public agency, such improvement may be undertaken through the issuance of revenue bonds, pursuant to this chapter

54158. No revenue bonds shall be issued by any public agency under this act unless and until there shall have been submitted to the electors of such public agency at a general or special election the proposition of issuing such revenue bonds, and such proposition shall have received the approving vote of a majority of such electors voting upon the proposition; provided, however, that in the case of any public agency which has already established any public works for supplying any public service to the inhabitants of any area and thereby assumed the obligation to supply such service within such area, such public agency may issue under this act bonds for any extension or betterment of, or addition to, such existing works, without such vote, if the proceedings for issuing such bonds are so taken that the proposition of issuing such bonds is made subject to the right of the voters to invoke a referendum upon such proposition

Article 2

Authority to Issue Revenue Bonds and Powers Incidental Thereto.

54160. Subject to the provisions of this chapter, any public agency may borrow money to provide funds to pay the cost of any such public improvements as in the opinion of the legislative body may be reasonably necessary for the welfare of the inhabitants of the area to be served thereby and may issue revenue bonds to evidence the indebtedness created by such borrowing Such bonds may be issued in the amount of the cost of such public improvement, including the cost of preliminary reports, studies, preparations, plans and specifications, legal and engineering costs; the cost of the acquisition of any necessary rights of way, easements, lands and other property of every kind and description and appurtenance; interest on the bonds during, and for not to exceed two years after, the period of the construction of a public improvement, or in the case of bonds issued for the acquisition of a public improvement, until, and for not to exceed two years after, the completion of such acquisition; expenses of administration pertaining to the project prior to, during, and for not to exceed one year after, the period of such construction, or prior to, and for not to exceed one year after, the completion of such acquisition; and all other costs of the authorization, preparation, sale and issuance of the bonds, or the carrying out of the undertaking, or incidental to any of such matters; and such cost may include such items which have already been paid out of other funds, to be reimbursed out of the proceeds of such bonds.

54160.1 Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, such public agencies jointly, or any board or commission established to administer or control such undertaking, may issue, subject and pursuant to the provisions of this chapter, revenue bonds to finance the same. Such bonds shall be deemed to be bonds of a public agency within the meaning of this chapter, and, to the extent necessary to give effect to this

section, the words "public agency" and "public agencies" wherever used in this chapter, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that such public improvement must be approved by each public agency so joining or cooperating, and that the approval by vote of the electors required by Section 54158 shall be the approving vote of a majority of the electors of each public agency so joining or cooperating, voting on the proposition, or in cases coming within the proviso of said section, the provisions as to referendum shall be such as to accord the right of referendum to the electors of each such public agency separately

54161. Such revenue bonds may be issued for any public improvement or groups of public improvements. Each individual improvement or group of improvements, work or undertaking for which any issue of revenue bonds is proposed to be issued shall be designated as a "project" and is so referred to in this chapter.

54162 If in the opinion of the legislative body, it is advisable that any project be undertaken and financed through the issuance of revenue bonds pursuant to this chapter, it shall cause a report thereon to be made by any appropriate public agency officer or officers, or by independent experts employed for the purpose, which shall include:

(a) An estimate of the probable cost of the project, including all incidental expenses, engineering, legal and administrative;

(b) An estimate of probable sources of income and the amount thereof;

(c) An estimate of the cost of maintenance and for the operation upon completion, including the cost of all repairs, administrative and overhead charges.

The expense of the preparation of the report shall be a public charge and the legislative body shall make provision for the payment thereof out of any funds of the public agency available therefor.

54163 If the report is approved by the legislative body, it may adopt a resolution declaring that the public interest and necessity demand the undertaking of the project, the purpose, nature and extent of which shall be described in general terms, and authorizing such project. The legislative body may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds in an amount estimated by it to be sufficient for such project The adoption of such resolution shall be conclusive evidence of the making and sufficiency of such report

54169 The proceeds of the sale of any revenue bonds issued pursuant to this act shall be used only for the purposes for which such bonds are issued, except that any premium received on the sale thereof and any sums received as interest accrued to the date of the delivery thereof may be used for the payment of principal of and interest on such bonds

54170. Wherever by the terms of this chapter the legislative body is empowered to authorize, or the public agency to enter into, any covenant or agreement to do or perform any act or thing, such legislative body and such public agency, respectively, shall have the power so to do and perform such act or thing

54173 This chapter provides a procedure alternative to any procedure otherwise provided by law or charter for financing any project, and shall not operate to limit or control the power of the public agency to finance any project in any other manner authorized by law or charter.

Article 3.

Issuance, Terms and Conditions of Revenue Bonds.

54175 The public agency shall have power to issue revenue bonds in its name.

54175.1 The bonds of each issue shall constitute special obligations, and evidence a special indebtedness of the public agency, which shall be a charge upon, and payable, as to the principal thereof, interest thereon, and any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance They shall not constitute general obligations of the public agency, and they shall neither constitute obligations, nor evidence any indebtedness, of any other public agency of which the public agency issuing the bonds may be a part, or of the State. All such bonds shall recite upon their face the substance of the preceding portions of this section, and shall also recite upon their face that they are issued under this chapter, which for that purpose may be designated by the short title provided for in Section 54150 of this chapter.

54175.2. In specifying the revenues and funds upon which such bonds are to be a charge and from which they are to be payable, there may be included:

(a) Revenue, as defined in Section 54156, whether to be derived from the project, or from public works previously existing, or from any future extension or betterment of, or addition to any such public works;

(b) Contributions in aid of the project; and

(c) Funds from any source which the public agency may lawfully apply to the purpose, other than the proceeds of taxation

54175 3. Nothing in this chapter, nor in the specification in the proceedings for the issuance of any bonds of the sources of payment thereof, shall preclude

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof;

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose;

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a public improvement on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds;

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the public agency issuing the same, in any case where such purchasers or entity may have guaranteed such payment; or

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the public agency may lawfully so apply.

54176 The legislative body shall have power to determine, by resolution, or by indenture, contract or other agreement made with, or for the benefit of, the bondholders, with reference to each issue of bonds to be issued under this chapter, all the terms and conditions of such bonds, and of the sale and issuance thereof, and any and all matters necessary or appropriate to be determined in connection therewith, excepting only as such power is limited by, or under the authority of, express provisions of this chapter. Without excluding the exercising of any other powers under, or in any way limiting the generality of, the preceding general grant of power, or in any way excluding or limiting the exercising of any or all other powers granted by this chapter, the general power granted by this section shall include, and each such public agency shall have and in its discretion may exercise, the specific powers provided by this chapter.

54177 The legislative body may provide for the aggregate principal amount, date or dates, maturities, interest rate or rates, interest payment dates, denominations, and form of such bonds, and may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of bonds, and for the transfer and interchange of such bonds, and for all other terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, or refunded. The legislative body may provide that any resolution or resolutions adopted in connection with the authorization of any bonds shall constitute a contract with the holders of such bonds, not subject to repeal, and not subject to any modification other than to an extent and in a manner provided in any such resolution Reference on the face of the bonds to any such resolution by the date of its adoption, or to any such indenture, contract or other agreement by the date of its execution, or the apparent date on the face thereof, is sufficient to incorporate all of the provisions thereof and of this chapter into the body of the bonds and their appurtenant coupons; provided, however, that with respect to such provisions of this chapter as invest the legislative body with discretion as to the inclusion or non-inclusion in the proceedings for the issuance of the bonds of certain provisions, or as to the form thereof, such provisions of this chapter shall be deemed to be incorporated only to the extent to which the legislative body has exercised its discretion to include such provisions and in accordance with the form thereof adopted by the legislative body. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of any such resolution, indenture, contract or other agreement and of this chapter, and is bound thereby, subject to the foregoing proviso with reference to the provisions of this chapter vesting the legislative body with discretion

54178 The legislative body may provide for such covenants and agreements on the part of the public agency as the legislative body deems necessary or advisable for the better security of any bonds.

54180 The legislative body may provide for the making of a covenant requiring the public agency to continuously operate in an efficient and economical manner, any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54181. The legislative body may provide for the making of a covenant requiring the public agency to make all repairs, renewals and replacements necessary to the operation of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, and to keep any and all such facilities and property at all times in good repair.

54183. The legislative body may provide for the making of a covenant requiring the public agency to pay and discharge or cause to be paid and discharged from the funds available for that purpose all lawful claims for labor, materials and supplies or

other charges which, if unpaid, might become a lien or charge upon the revenues, or any part thereof, of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or upon any of the physical properties thereof which might impair the security of the bonds.

54184. The legislative body may provide for the making of a covenant which limits, restricts, or prohibits any right, power or privilege of the public agency to mortgage or otherwise encumber, sell, lease or dispose of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or to enter into any lease or agreement which might impair or impede the operation of such facilities or properties, or any part thereof, or which might otherwise impair or impede the rights of the holders of the bonds with respect to such revenues.

54185. The legislative body may provide for the making of a covenant requiring the fixing, prescribing, and collection, with respect to any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of fees, tolls, rentals or other charges in connection with the services and facilities furnished from any of such properties operated by it, and the fixing, prescribing and collection of rentals or other charges for any such properties leased by it to others for operation, sufficient, with such other funds as may have been made available for and charged with such payment, to pay the principal of and interest on such bonds as they become due and payable, together with all expenses of operation, maintenance and repair of such facilities and properties, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such facilities and properties, and all other charges payable out of said revenues or funds, and requiring that all receipts from all or any such fees, tolls, rentals or other charges shall be deposited in a certain specified fund or in certain specified funds. If, under the law or charter applicable to the public agency, the power to fix and prescribe any such fees, tolls, rentals or other charges is vested in any other board or body, or is subject to approval by any other board or body, such other board or body may provide for the making of a covenant to the same effect as stated in this section, or a covenant to approve fees, tolls, rentals, or other charges fixed or prescribed by the legislative body which shall be sufficient for the purposes specified in this section

54185.1. The legislative body may provide for the making of a covenant requiring the fixing and prescribing by the public agency and the collection by any lessee of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection with the services and facilities furnished by such lessee, sufficient to assure the payment by such lessee to such public agency of the rentals or other charges so payable.

54186 The legislative body may provide for the making of a covenant requiring the establishment and maintenance of reserve funds, sinking funds or other special funds, in the treasury in which the funds of the public agency are deposited, or special trust accounts in a bank or trust company, to insure payment when due or payable, whether at maturity or upon redemption, of the principal of and interest on any bonds, including premiums if any due upon the redemption of any thereof, or to insure the application of the proceeds of such bonds to the purposes for which the same were issued, or requiring the establishment and maintenance of a reserve fund or trust account for any other appropriate purpose, or requiring that any money placed in any such reserve fund or trust account shall constitute a trust fund to be applied only to the purposes for which such reserve fund was created

54187. The legislative body may provide for the making of a covenant requiring the public agency to apply the proceeds of the bonds in connection with which such covenant is made, or any part thereof, to the acquisition or construction of a specified facility, or other specified purpose.

54188 The legislative body may provide for the making of a covenant restricting the incurring of additional indebtedness payable in whole or in part out of revenues or funds which are charged with the payment of any bonds in connection with which such covenant is made.

54189 The legislative body may provide for the making of a covenant requiring the public agency to carry insurance on any facilities or properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or any operations incident thereto, specifying or limiting the kind, amount and character of such insurance and providing for the use and disposition of the proceeds of any such insurance thereafter collected.

54189 1. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the establishment by it of any competitive project while any bonds of the issue in connection with which such covenant is made are outstanding.

54189.2. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the rendering or furnishing of service or facilities free of charge, or at less than the regularly established charges therefor, by or from any facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54190. The legislative body may provide for the terms and conditions upon which any bonds may become or be declared due and payable prior to maturity, upon the happening of any specified event of default, and the terms and conditions upon which such declaration and its consequences may be waived.

54191. The legislative body may provide for the rights, limitations, powers and duties arising upon breach by the public body of any of the covenants, conditions or obligations contained in any resolution, indenture, contract or agreement.

54192 The legislative body may provide for a procedure by which certain specified terms and conditions of any resolution, indenture, contract or agreement may be subsequently amended or modified, or any provision thereof waived, with the consent of the legislative body and the vote or written assent of the holders of a specified principal amount of the bonds issued and outstanding. Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given Such provision shall specifically state the effect of such amendment, modification or waiver upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom. The provisions for such procedure may include an agreement that bonds held by the public agency, or by any other person or entity who or which the legislative body may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto

54193. The legislative body may provide for such other acts and matters as it may deem to be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

54194 The legislative body may designate a bank or trust company as a trustee for the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

54195 The legislative body may fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all funds coming into its hands pursuant to any resolution, indenture, contract or agreement The legislative body may prescribe the duties and powers of such trustee with respect to the payment of principal and interest on bonds, the redemption of bonds, the registration and discharge from registration of bonds, and the management of any sinking fund or other fund provided as security for bonds, and with respect to any other appropriate matter

54196 The legislative body may provide for the issuance of bonds in series, and for the division of any issue into two or more divisions, and may fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or bear the same interest rate, but the terms thereof shall in each case be provided for by the legislative body After the authorization or issuance of bonds, the legislative body may, from time to time thereafter, authorize the issuance of other bonds, subject to any covenants it may have made restricting the future issuance of bonds

54199 Bonds may be callable upon such terms, conditions, and upon such notice as the legislative body may determine, and upon the payment of the premium, if any, fixed by the legislative body in the proceedings for the issuance of the bonds No bond shall be subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

54200 The legislative body may provide for the principal and interest of bonds being payable in any specified coin or currency of the United States and at any place within the State of California, or for such principal and interest being payable or collectible at any place without the State of California

54201. All of the signatures on said bonds and on the interest coupons thereof may be printed, lithographed or engraved facsimile, except that on the bonds, but not on the interest coupons, the countersignature of the clerk or other officer or representative of the public agency designated by the legislative body shall be manually affixed. If any of the officers or representatives whose signatures or countersignatures appear upon the bonds or coupons cease to be officers or representatives before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers or representatives had continued to hold their respective offices or positions until the delivery of the bonds and coupons

54202. Payments of any serial bonds, and payments into the sinking fund for any sinking fund bonds, may be deferred, but the first maturity of any such serial bonds, and the first payment into the sinking fund for any such sinking fund bonds, shall be no later than five (5) years from the date of the bonds, and no bond, whether serial or sinking fund, shall mature more than forty (40) years from its date. In the event any authorized issue is divided into two or more series or divisions, the periods specified in this section shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

54203. No bonds shall be sold except at public sale, after advertising for proposals and to the bidder whose bid will result in the lowest net interest cost, determined in a manner specified in the notice of such sale, provided, however, that such advertising and public sale shall not be necessary, first, if the bonds are sold to the United States, or any agency thereof, or to the State of California, or any agency thereof, second, if upon advertising for proposals for the purchase thereof, no satisfactory proposal is received, or, third, if the legislative body shall determine, by resolution, that by reason of war, disaster, conditions affecting the public health, or other reason of extreme urgency, it is in the public interest to sell any such bonds without advertising or public sale. If the legislative body shall adopt any such resolution, the reasons for its determination shall be fully and clearly stated in such resolution. Bonds may be sold at less than their par or face value but no bond may be sold at a price which would result in a yield to the purchaser of an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values.

54207. The legislative body may provide for the issuance and delivery, pending the actual issuance or delivery of definitive bonds, of temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

54210. The legislative body may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the public agency. All provisions of this act applicable to revenue bonds and to the issuance and sale thereof, other than the provisions of Sections 54158, 54162 and 54163, are applicable to refunding bonds and to the issuance and sale thereof; provided, however, that the legislative body may provide that in lieu of the sale of such refunding bonds they, or any part thereof, may be exchanged for bonds to be refunded thereby, upon such terms and conditions as it may deem proper.

54211. Refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

54212. All bonds issued under the provisions of this act are negotiable instruments.

54213. Prior to the issuance of any bonds, the public agency, on authorization by the legislative body, may commence a special proceeding to determine the right to issue the bonds and their validity in the superior court of the county in which the public agency is located, or, if the public agency is a state agency, in any county in which such agency maintains an office. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22674, inclusive, and 22676 to 22684, inclusive, of the Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to and govern all such proceedings instituted under this act; provided, however, that in so applying said provisions, all references to a district shall be understood as references to the public agency; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against all entities whatsoever, public or private, including the public agency and the State of California.

54214. Whenever the legislative body deems that it will increase the salability or price of the bonds to obtain a legal opinion, other than or in addition to that of the regular legal adviser of the public agency, it may obtain such legal opinion.

Article 4.

Duty to Perform Covenants

54220. It shall be the duty of the public agency fully and faithfully to keep and perform any covenant it may make pursuant to Section 54185 with or for the benefit of the holders of the bonds with respect to the fixing and maintaining of fees, tolls, rentals or other charges, and each and every other covenant it may make pursuant to any provision of this act, with or for the benefit of the holders of any bonds.

Article 5.

Rights of Bondholders.

54230. The holder of any bond issued pursuant to this chapter may by mandamus or other appropriate proceeding, require and compel the performance of any of the duties imposed upon the public agency, the legislative body or the officers, agents, or employees of the public agency, by this chapter, in all cases where the failure to perform such duty might impair the rights of such bondholder or the security of any bond or bonds held by him. This shall not exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this chapter.

54231. While any revenue bonds issued by the public agency remain outstanding, its powers and duties, and the powers and duties of the legislative body, shall not be diminished or impaired in any manner that will adversely affect the interest and rights of the holders of such bonds. This shall not preclude any reorganization or change of the public agency, by consolidation, change of the boundaries, or otherwise, or any modification, change or transfer of the powers and duties of the legislative body, or any transfer of physical properties; provided, however, that such act or matter is done, arranged and carried into effect in such manner as to preserve all the substantial rights and benefits to which the holders of such bonds are entitled.

Article 6.

Contributions and Cooperation.

54240. The legislative body may accept contributions or appropriations from the United States, the State, or any public agency of this State, or from any other source

54241. The legislative body may authorize the making by the public agency of any contract, arrangement, or agreement with the State or any public agency, to cooperate with such State or public agency for the development, maintenance, operation, or use of any project or the services or facilities thereof financed in whole or in part through the issuance of revenue bonds, and the public agency may so cooperate.

54242 The public agency, when authorized by the legislative body, may cooperate and contract with the United States under the War Mobilization and Reconversion Act of 1944, approved October 3, 1944, and any acts amendatory thereof or supplemental thereto, or under any other act of Congress heretofore or hereafter enacted, authorizing or permitting such cooperation.

Article 7.

Funds.

54250. The proceeds from each sale of bonds authorized under this chapter, other than any sums received as premium or accrued interest, shall be deposited in the treasury in which funds of the public agency are kept, to the credit of a fund, which the legislative body shall establish therein, and which shall be designated by an appropriate name, to insure the application of such proceeds to the purposes for which the bonds were issued; provided, however, that where successive sales are made of bonds of a public agency, and the same are issued for the same identical purpose, such proceeds of more than one sale may be deposited in such treasury to the credit of the same fund. The provisions of this section shall be subject to the provisions of this article with respect to the establishment of other reserve funds and trust accounts.

54251. The proceeds from each sale of bonds authorized under this chapter received as premium or accrued interest, shall be deposited in such treasury to the credit of the fund out of which payments on the principal of and interest on such bonds are to be made, whether such fund shall be a fund already established or a reserve fund established pursuant to Section 54252, and shall be applied only to the payment of such principal and interest.

54252. The legislative body may from time to time establish one or more reserve funds in the said treasury, for any of the purposes specified in this section. Any such fund may be so established as a sinking fund, or otherwise, to insure the payment, when due and payable, of the interest on any such bonds, the principal thereof, whether upon maturity or redemption prior to maturity, and premiums upon the redemption thereof prior to maturity, or for any of said purposes, or for any other purpose related to the expenditure of the proceeds of such bonds, the security of the bondholders or the payment of such bonds.

54253. If, under the law or charter applicable to the public agency, the power to establish funds in said treasury is not vested in the legislative body, then the officer or board having power to establish such funds, shall establish any fund provided for in this article, upon the request of the legislative body.

54254. The money in any fund provided for in this article, other than any previously established fund referred to in Section 54251, shall be kept separate and apart from all other funds in the treasury, and, subject to all provisions of this article, shall be paid out and disbursed on the order of the legislative body in the same manner that other funds of the public agency are paid out and disbursed.

54255. In lieu of the establishment of any fund by or at the request of the legislative body pursuant to this article, the legislative body may provide for the establishment of a trust account with a responsible bank or trust company for any of the purposes for which any such fund could be established

54256. Money so deposited in any fund or special trust account established pursuant to this article shall remain therein until from time to time expended for the purposes for which said fund or trust account was created, and shall not be used for any other purpose whatsoever, but may be invested as hereinafter in this article provided, and provided

(a) that money may be paid or transferred from any such fund or account in furtherance of its establishment to any other such fund or account established for a like purpose in connection with the same bonds to such extent as may be required or permitted under the terms of the issuance thereof, and

(b) that any surplus money remaining in any such fund or trust account after the full accomplishment of the purposes for which such fund or trust account was established, or which is in excess of the full amount required to accomplish all such purposes, may be applied to the payment of principal, interest or premiums on redemption of such bonds, if any thereof remain unpaid, or to capital costs or expenses incident to any facilities or properties the revenues of which were charged with the payment of the bonds, or, if it cannot be so applied, then to any purpose to which the legislative body may direct that it be applied, subject, however, to any covenant which may have been made in connection with the issuance of such bonds

54256 If, under the law or charter under which the public agency exists, provision is made for the establishment of funds or trust accounts to accomplish substantially the same purposes as provided for in this article, such funds or trust accounts may be established pursuant to such law or charter instead of pursuant to this article

54257. Pending use for the purposes for which any reserve fund or special trust account established pursuant to this article was so established, money deposited therein may be invested when and to such extent and in such manner as may be directed by the legislative body and as may be consistent with any covenant made upon the issuance of the bonds in connection with which such fund or account was created. Such investment shall be in bonds and other obligations eligible for investment of surplus funds of the public agency, or eligible for investment of surplus county money If, under the law or charter under which the public agency exists, the power to direct the investment of surplus money is not vested in the legislative body, then the direction provided for in this section shall be the direction of such board or officer as is vested with such power. Any income, interest or increment resulting from such investment shall be added to and become a part of the fund or trust account out of which such investment was made"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 17, inclusive; and strike out all of pages 2 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 735—An act to add Part 6.5 to Division 2 of the Revenue and Taxation Code, relating to licensing aircraft, creating the Aircraft License Fee Fund and making an appropriation of the moneys therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 6, line 27, of the printed bill, strike out ", after", and insert "at the close of each preceding calendar quarter, after the expenditures authorized by subdivisions

(a), (b), (c), and (e) of Section 11861 have been made, shall be apportioned by the State Controller to the counties quarterly in January, April, July, and October of each year, in the proportion that the total aircraft license fees, including penalties and interest, collected on aircraft in each county and deposited in the Aircraft License Fee Fund during the period covered by such apportionment, bears to the total aircraft license fees, including penalties and interest collected by the department on all aircraft in this State and deposited in said fund during said period."

Amendment No. 2

On page 6 of the printed bill, strike out lines 28 to 32

Amendment No. 3

On page 2, line 33, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 4

On page 2, line 39, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 5

On page 2, line 46, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 6

On page 3, line 21, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 7

On page 6, line 40, of the printed bill, strike out "now".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3373—An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 370 of", and insert "add Section 370.1 to".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "the collection of fees in connection with vehicles operated upon public streets and highways and the apportion-".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 370.1 is added to the Vehicle Code,".

Amendment No. 4

On page 1 of said bill, strike out lines 3 through 13, and insert

"370.1. Notwithstanding the provisions of Section 373 5, an additional fee of 50 cents shall be collected on each vehicle of a type subject to a registration fee as provided in Section 370 and shall be set aside and paid monthly into the General Fund in the State Treasury to be available only for transfer by the Controller to the State School Fund pursuant to Section 5153 6 of the Education Code, to reimburse school districts for the excess cost of instructing pupils in automobile driver training."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1814—An act to add Section 8651.1 to the Revenue and Taxation Code, relating to state taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 8604, 8608 and 9256 of, and to add Sections 8610, 8611, 8651.5, 8706, 9257, 9258, 9259, 9260, 9261, 9262 and 9263 of, and to repeal Part 4, Division 2, of the Revenue and Taxation".

Amendment No. 2

On page 1, lines 3 and 4, of said bill, strike out "cents ($0.02)", and insert "and a half cents ($0.02½)".

Amendment No. 3

On page 1, line 8, of said bill, after "8651", insert "and in lieu of the registration fees imposed under subdivisions (c) and (d) of Section 372 of the Vehicle Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 8604 of the Revenue and Taxation Code is amended to read:

8604. "Fuel" includes:

(a) For purposes of the tax imposed by Section 8651, any combustible gas or liquid, by whatever name the gas or liquid may be known or sold, of a kind used in an internal combustion engine for the generation of power to propel a motor vehicle on the highways except fuel that is subject to the tax imposed by Part 2 of this division.

(b) For purposes of the tax imposed by Section 8651.5, fuel included in (a) of this section and fuel that is subject to the tax imposed by Part 2 of this division.

SEC. 3. Section 8608 of the Revenue and Taxation Code is amended to read:

8608. "User" includes any person who, within the meaning of the term "use" as defined in this chapter, uses fuel *as defined in Section 8604(a), or uses in a commercial vehicle fuel that is subject to the tax imposed by Part 2 of this division.*

SEC. 4. Section 8610 is added to the Revenue and Taxation Code, to read:

8610. *"'Commercial vehicle' means any motor vehicle of a type subject to registration under the provisions of the Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property."*

SEC. 5. Section 8611 is added to the Revenue and Taxation Code, to read:

8611. "Tax" means the tax imposed by Section 8651 or 8651.5, or the taxes imposed by both sections.

SEC. 6. Section 8706 is added to the Revenue and Taxation Code, to read:

8706. Before operating a commercial vehicle upon the highways, each user shall obtain for the vehicle from the Department of Motor Vehicles plates or emblems indicating that a use fuel tax permit has been obtained by him. Each plate or emblem shall be attached to and conspicuously displayed upon the vehicle for which it was issued in such manner as the department may require. The department shall immediately notify the board of the issuance of the plates or emblems.

SEC. 7. Section 9256 of the Revenue and Taxation Code is amended to read:

9256. Before registering any motor vehicle, the Department of Motor Vehicles shall ascertain from the applicant for registration whether or not the motor vehicle sought to be registered is propelled by a fuel the use of which is subject to the excise tax imposed [under this part] *by Section 8651*. If the motor vehicle is propelled by the use of such a fuel, the department shall notify the board.

SEC. 8. Section 9257 is added to the Revenue and Taxation Code, to read:

9257. The Highway Patrol shall assist the board in the enforcement of the provisions of this part prohibiting a user from operating a commercial vehicle upon the highways without first obtaining the permit required by Section 8701 and without displaying on the vehicle the plates or emblems required by Section 8706. The Highway Patrol shall promptly transmit to the board on a form prescribed by it information respecting any vehicle found by the Highway Patrol to have been operated in violation of this part.

SEC. 9. Section 9258 is added to the Revenue and Taxation Code to read:

9258. Each seller of motor vehicle fuel shall issue a sales invoice for each sale and delivery of fuel the use of which is subject to the tax imposed by Section 8651.1.

SEC. 10. Section 9259 is added to the Revenue and Taxation Code to read:

9259. A copy of the invoice shall be retained by the seller for a period of five years unless the board shall approve the destruction thereof prior thereto. The invoices shall be serially numbered and each invoice shall show the name of the user, the user's permit number, the date of sale and the type, quantity in gallons and price of fuel sold.

SEC. 11. Section 9260 is added to the Revenue and Taxation Code to read:

9260. The sales invoices and such other records of the seller of motor vehicle fuel as may be pertinent to the enforcement of this part shall be made available to the board for inspection.

SEC. 12. Section 9261 is added to the Revenue and Taxation Code to read:

9261. A seller who fails to record a sale of fuel to a user as herein required or who sells fuel to a user who does not hold a valid user's permit and display upon his vehicle the emblem required by this part, or who by any other manner, means or device acts in collusion with a user or independently to evade the tax imposed by this part shall be held jointly with the user or severably liable for the tax, interest and penalties imposed by this part with respect to the fuel sold by him and used in a commercial vehicle and shall be guilty of a misdemeanor unless by other law of this State he is guilty of a felony.

SEC. 13. Section 9262 is added to the Revenue and Taxation Code to read:

9262. After due hearing and upon a ruling or decision of the board that a seller has violated the requirements of this part, or in the event the seller has been convicted of a criminal offense under Section 9261, the board shall notify the State Department of Agriculture, Bureau of Weights and Measures which department shall forthwith suspend any and all motor vehicle fuel pump license tags issued under the provisions of Division 8, Chapter 7, Article 3a of the Business and Professions Code for the motor vehicle fuel pumps used by the seller and shall close and seal such pumps as provided in Section 20774 of the said code.

SEC. 14. Section 9263 is added to the Revenue and Taxation Code to read:

9263. It shall thereafter be unlawful for the seller to engage in the sale of motor vehicle fuel until all amounts due under this part have been paid and the board has so notified the Department of Agriculture. The motor vehicle fuel pump license shall not be reinstated until the seller pays to the Department of Agriculture a fee of ten dollars ($10) for the reinstatement of each pump license, and the seller has posted with the board a bond of faithful performance with surety in an amount to be determined by the board but not more than ten thousand dollars ($10,000).

SEC. 15. *Part 4, Division 2 of the Revenue and Taxation Code, comprising Sections 9601 to and including 10501, is repealed, except that the provisions of said part are continued in effect as respects the collection of all amounts due or which may become due under said part arising from operations as defined in said part prior to January 1, 1952, and as respects refunds of amounts erroneously paid in connection with such operations.*

SEC. 16. This act, inasmuch as it provides for a tax levy shall, under the provisions of Section 1, Article IV of the Constitution, take effect immediately; provided, however, that the provisions hereof shall become operative on January 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1012—An act to amend Section 3831 of the Vehicle Code, relating to refunds of registration fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 14, of the printed bill, after "which", insert "fees".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 484—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "This shall not apply to the"; and strike out lines 9 and 10

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 269—An act to add Section 1106 to the Labor Code, relating to political activities

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "activities involving"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 126.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 126, "An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This is an appropriation in augmentation of the appropriation in the current budget for the support of the Local Allocations Division. The increasing of the allocation of bond money for the construction of schools authorized by the last special session

of the Legislature has increased the work of the Division of Allocations and necessitates this additional appropriation

I therefore recommend consideration of Assembly Bill No. 126 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 126—An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 128:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 128, "An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This appropriation from the Fair and Exposition Fund is required immediately for the Poultry Testing Project Fund to cover additional expenses incurred by the Poultry Improvement Commission.

I therefore recommend consideration of Assembly Bill No. 128 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 128—An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 259:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 259, "An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, and providing for the reimbursement of the State Highway Fund, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This appropriation from the Highway Fund is necessary to reimburse the Emergency Fund for a loan made from the Emergency Fund to cover the cost of studying the need for an additional toll bridge crossing for San Francisco Bay.

I therefore recommend consideration of Assembly Bill No. 259 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, and providing for the reimbursement of the State Highway Fund, to take effect immediately.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 390:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 390, "An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The appropriation contained in this bill is for the purpose of augmenting the Salary Increase Fund for the current fiscal year to cover salary increases made by the State Personnel Board.

I therefore recommend consideration of Assembly Bill No. 390 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 390—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2715—An act to provide for the reimbursement of State Employees Retirement System contributions

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 127:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 127, "An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This bill makes an appropriation in augmentation of the appropriation for the support of the California Disaster Council for the current fiscal year. It is immediately required for the functioning of the Council.

I therefore recommend consideration of Assembly Bill No. 127 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 127—An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 131:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 131, "An act making an appropriation to the Department of Veterans Affairs for educational assistance to veterans, in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The appropriation made by this bill is necessary for the additional cost of providing educational assistance to veterans during the current fiscal year.

I therefore recommend consideration of Assembly Bill No 131 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 131—An act making an appropriation to the Department of Veterans' Affairs for educational assistance to veterans, in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of the Banking Code, to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bills Nos. 828 and 829, on motion of Mr. Clarke.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read third time.

Point of Order

Mr. Sherwin arose to the following point of order: That, pursuant to the Standing Rules, Assembly Bill No. 6 should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Re-reference of Assembly Bill No. 6

Assembly Bill No. 6 ordered re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1½ of Article XIII thereof, relating to taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagan, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Nichouse, Porter, Rosenthal, Shaw, Smith, Stanley, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1090 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1090 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL AND AS SEPARATE DOCUMENT

Mr. Kilpatrick asked for, and was granted, unanimous consent that a letter of transmittal, and a Partial Report of the Assembly Interim Committee on Crime and Corrections, be ordered printed in the Journal

in 10 point type; and that the letter and report be printed as a separate document, and that 500 copies be printed

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1202—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1277 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No 1277 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2718—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2752—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records.

Bill read third time.

The roll was called, and the bill passed by the following vote·

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11:02 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2938—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—65

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 9, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office.

Resolution read, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1905—An act to amend Section 54 of the Fish and Game Code, relating to game management areas.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Lyon, Lincoln, Caldecott, and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1905.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—Coats, Henderson, and Lowrey—3.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1905, and that he be recorded as voting "Aye".

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2321—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2318

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2318, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2318

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1638—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ADOPTION OF AMENDMENTS NOS. 3 TO 7 INCLUSIVE TO ASSEMBLY BILL NO. 1155

Mr. Silliman asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Friday, March 23d, adopted Amendments Nos. 3 to 7, inclusive, offered by the Committee on Conservation, Planning, and Public Works to Assembly Bill No. 1155.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3021

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 3021, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3021

Assembly Bill No. 3021—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2673—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2674—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad,

Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2679—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 176—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Institutions or its agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloved, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman.

Above reported resolution ordered engrossed.

RECESS

At 11.42 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBERS EXCUSED

At 1.46 p.m., Mr. Collier asked for, and was granted, unanimous consent that Messrs. Hinckley and McFall be excused, for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 36

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 26, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Fresno Bee and Modesto Bee—George Baker.

Sincerely,

EARL C BEHRENS, President

RATIFICATION OF ACTION

By unanimous consent, the above action, as taken by the Capitol Correspondents Association, was ratified by the Assembly.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 103

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$166.19
Martyrs' (supplies)	18.02
The Pacific Telephone & Telegraph Co (tolls)	77.95
Department of Finance (toll charges)	2 40
Department of Finance (pro-rate cost of telephone service)	139.67

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 103, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Stanley, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)
REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 9, temporarily passed on file, out of order, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office.

Resolution read.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, strike out lines 6 to 23, inclusive, and insert "'I will never bring disgrace to the State of California by any act of dishonesty or cowardice, nor ever desert my suffering comrades in the ranks; I will fight for the ideals and sacred things of the State, both alone and with many; I will revere and obey the State's laws and do my best to incite a like respect and reverence in those about me; I will strive unceasingly to quicken the public's sense of civic duty; and thus, in all these ways, I will strive to transmit this State not only not less but greater, better and more beautiful than it was transmitted to me.'"

Amendment read.

Demand for Previous Question

Messrs. Doyle, Lincoln, Dills, Cloyed, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. George D. Collins to Assembly Constitutional Amendment No. 9.

Amendment refused adoption.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

Demand for Previous Question

Messrs. Lanterman, Klocksiem, Luckel, Conrad, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Hagen is making a speech, and that, as Mr. Levering has closed, Mr. Hagen is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—George D Collins, Condon, Elliott, McFall, McMillan, and Parker—6

Resolution ordered transmitted to the Senate.

Statement of Vote

Because I was called to the telephone, I was unable to cast an affirmative vote on Assembly Constitutional Amendment No 9 when the roll was called.

JAMES W. SILLIMAN

ANNOUNCEMENTS

Speaker Sam L. Collins announced that, since his name had been mentioned in the debate on Assembly Constitutional Amendment No. 9, he desired to call the attention of the membership to the fact that when the Speaker originally opposed Senate Bill No. 132, in the 1949 Session, he based his opposition on two premises:

First, the oath pledged allegiance "to the enemy, both foreign and domestic." That error has been corrected. The allegiance now is pledged to the Constitution of the United States and the Constitution of the State of California.

Second objection was to the unconstitutionality, the Constitution of the State of California being very explicit that no other test should be required than that contained in the Constitution. Assembly Constitutional Amendment No. 9 now requires the new form for oath instead of the old form, which has been in the Constitution for almost one hundred years Therefore, both objections now have been eliminated in that we now pledge allegiance to the Constitution instead of "enemies, both foreign and domestic," and the constitutional amendment, if adopted by the people, will make the oath constitutional

Mr. Levering announced that the statement by Speaker Sam L. Collins is absolutely correct, and that Speaker Collins spoke to him long before Senate Bill No. 132 was debated, and voiced his criticism of the weak spots in said bill. He further stated that he made every effort to avoid duplicate defects in the wording of Assembly Constitutional Amendment No. 9.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 434	Assembly Bill No. 572
Assembly Bill No. 435	Assembly Bill No. 578
Assembly Bill No 436	Assembly Bill No. 580
Assembly Bill No. 441	Assembly Bill No 664
Assembly Bill No. 442	Assembly Bill No 732
Assembly Bill No. 469	Assembly Bill No. 753
Assembly Bill No. 470	Assembly Bill No. 754
Assembly Bill No 558	Assembly Bill No. 755
Assembly Bill No 561	Assembly Bill No. 838
Assembly Bill No. 562	Assembly Bill No 839
Assembly Bill No 563	Assembly Bill No 965
Assembly Bill No. 564	Assembly Bill No 1270
Assembly Bill No. 565	Assembly Bill No. 1273
Assembly Bill No. 568	Assembly Bill No 1274
Assembly Bill No. 569	Assembly Bill No 1721
Assembly Bill No. 570	Assembly Bill No 1872
Assembly Bill No. 571	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 254—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 352—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—67.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 353—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—Hagen and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1688—An act to add Section 2006.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Point of Order

Mr. Condon arose to the following point of order: That Mrs. Niehouse is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Lyon arose to the following point of order: That Mrs. Niehouse is not speaking germane to the bill.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 1688.

Assembly Bill No. 1688 ordered passed on file.

Assembly Bill No. 2677—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 606—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Babbage:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Respectfully submitted.

J. D. BABBAGE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Babbage:

An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3391: By Mr. Babbage—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2760

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2760, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2760

Assembly Bill No. 2760—An act to add Section 1418 to the Fish and Game Code, relating to giving aid to persons accidentally shot.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "1418 to the Fish and Game", and insert "628.1 to the Penal".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 628 1 is added to the Penal"

Amendment No. 3

On page 1, line 3, of said bill, strike out "1418.", and insert
"628 1."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, March 19, 1951; Tuesday, March 20, 1951; Wednesday, March 21, 1951; Thursday, March 22, 1951; and Friday, March 23, 1951, were approved as corrected by the Minute Clerk

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2258

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2258, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2258

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments.

Amendment No. 1

In line 2 of the title of the printed bill, after "potatoes", insert ", declaring the urgency of this act, to take effect immediately"

Amendment No. 2

On page 2 of said bill, after line 7, insert
"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In accordance with the current provisions of the Agricultural Code, it is possible to ship and sell potatoes damaged to the extent that they fail to give consumer satisfaction During recent years substantial quantities of such low grade potatoes have

been placed in local and out-of state markets Improvement in the quality of California potatoes being shipped to an increasing number of markets in the United States, is necessary to provide for the orderly marketing thereof, to prevent the marketing of low quality potatoes for the protection of both consumers and producers and the prevention of the demoralization of the market for potatoes which are a desirable and valuable food source Because the marketing season for the 1951 crop has just commenced and large volumes will be harvested prior to the time this act would otherwise become effective it is necessary that it take effect immediately in order that the benefits thereof be obtained by the people during the current year "

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bills Nos 141, 41, and 42 be made a special order of business for Tuesday, March 27, 1951, at 10 30 a m

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Beck moved that the Assembly resolve itself into a Committee of the Whole tomorrow, when considering Assembly Bills Nos. 141, 41, and 42 for the purpose of permitting citizens who wish to be heard to be present.

Point of Order

Mr. Dickey arose to the following point of order That the motion by Mr. Beck is not in order, at this time

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken

MOTION THAT ASSEMBLY CONSIDER MEETING AS A COMMITTEE OF THE WHOLE

Mr. Beck moved that the Assembly consider, at this time, resolving itself into a Committee of the Whole, tomorrow, when taking up Assembly Bills Nos 141, 41, and 42, for the purpose of permitting citizens who wish to be heard to be present.

Mr Rosenthal seconded the motion

Point of Order

Mr. Dickey arose to the following point of order: That the motion by Mr Beck is not in order, at this time.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting, and Republican Caucus, tomorrow morning, at 7.30 a.m , at Hart's restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 8 p.m.—

Finance and Insurance, in Room 432.

Judiciary, in Room 435.

Today upon adjournment—

Public Utilities and Corporations, in Room 432.

Boards and Commissions, in Room 426.

Tomorrow, Tuesday, March 27th at 9.30 a.m.—

Rules, in Room 320.

It was announced that the following committee would hold no meeting today:

Ways and Means.

PARTIAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS

March, 1951

House Resolution No. 243
1949 Regular Session

Members of the Committee

VERNON KILPATRICK, *Chairman*

MONTIVEL A. BURKE
Vice Chairman

KATHRYN T. NIEHOUSE
Secretary

HARLAN HAGEN

CHARLES W. MEYERS

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
March 26, 1951

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY:

Attached hereto is a partial report of the Assembly Interim Committee on Crime and Corrections, created by House Resolution No. 243—1949 Regular Session.

This section of the report deals with the handling of juvenile delinquents in certain state institutions, and in addition takes cognizance of adult cases, including the case of Marjorie Mae Massow, the rehabilitation efforts and correctional responsibilities of the Youth Authority, and to some extent, the suggestions of many authorities in this field. It is not a study of the juvenile as a delinquent, because such a study has been done many times by other agencies and committees This report chiefly concerns itself with the *system* of handling California juveniles who have fallen into the delinquent class.

Respectfully submitted,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice Chairman
KATHRYN T. NIEHOUSE, Secretary
HARLAN HAGEN
CHARLES W. MEYERS

I subscribe to the contents of the full report of this committee with the exception of the subcommittee report on Marjorie Mae Massow (Madge Meredith) to which I definitely do not subscribe.

KATHRYN T. NIEHOUSE

INTRODUCTION

After a study of the adult penal institutions of California as well as careful scrutiny of the prosecution methods in the widely-publicized "Marjorie Mae Massow case" (the Madge Meredith affair), your committee turned to the problem of the juvenile offender and the correctional system for handling juvenile delinquents in the State.

Your committee sought the opinions of some of the leading California authorities, and the second part of this report deals with certain suggestions from some Los Angeles workers in this field. This county was selected because it has the highest juvenile delinquency rate in the State together with the greatest number of juvenile correctional facilities.

In conducting its study, your committee was struck by the lack of uniform terminology in the arresting, booking, and ultimate disposition of juvenile offenders. It is not too much to say that in the 58 counties of this State, there are also 58 forms of terminology used to facilitate juvenile correction. As these reports are used throughout the State (and the record of the juvenile offender follows him), the importance of a uniform legal terminology becomes readily apparent. In the opinion of your committee the most comprehensive manual on the subject of juvenile correction is the one used by the juvenile officers of the police department of the City of Los Angeles.

REPORT OF SUBCOMMITTEE ON MARJORIE MAE MASSOW (MADGE MEREDITH)

On the morning of June 30, 1947, there occurred in Los Angeles County a "kidnapping and assault" upon the persons of Nicholas D. Gianaclis and Verne Davis which resulted in the conviction and sentencing of Marjorie Mae Massow and three others.

Miss Massow, a motion picture actress more commonly known as Madge Meredith, was sentenced to from five years to life at Tehachapi. Albert W. Tucker received a similar sentence to San Quentin. Damon Klinkenberg and James Hatfield received 30 and 60 days respectively in the county jail.

The case, Superior Court Case No. 114360, was tried before a jury in the court of Judge Charles W Fricke. It was prosecuted by Deputy District Attorney J. Miller Leavy. Miss Massow was defended by Attorney Ward Sullivan.

Appeals by Miss Massow before the Second District Court of Appeals and the State Supreme Court were denied. She now is in her third year of a minimum 10-year sentence.

This conviction of Miss Massow prompted numerous prominent, respected citizens to voice before this committee a protest that justice had not been served. That the crime itself was a hoax, and Miss Massow was, in fact, the victim of a "frame."

A preliminary investigation by your subcommittee revealed a very definite and general feeling of unrest among many prominent business and professional people as well as disinterested private citizens concerning all aspects of the case.

In January, 1950, this subcommittee launched a formal investigation into all phases of the case. The background, investigation by police, the

girl's defense, trial transcripts, and subsequent developments all became objects of intense study by investigators for the subcommittee.

After approximately 175 persons had been interviewed, the investigation was climaxed 13 months later with sworn depositions from some 30 key witnesses.

Following are the findings, opinions, and conclusions of this investigation:

First, it can be said that so far as the findings of this subcommittee are concerned, there is grave doubt that Defendant Massow was criminally implicated in the crime for which she was prosecuted and sentenced.

The case, from beginning to end, is a mockery of investigation, of defense counseling, of trial procedure, and of justice itself.

There is shocking evidence of perjury, suppression of evidence, prejudice, and an almost unbelievable reluctance on the part of defense counsel to investigate the cause of Defendant Massow. Nor are the tactics of the prosecution above reproach. That witnesses were intimidated is a matter of court record.

One of the most disturbing factors found by the subcommittee was the failure of defense counsel to call three key witnesses. There is evidence, in fact, that the defense made little if no effort to seek out and interview said witnesses.

The witnesses in question, two of which have made voluntary sworn statements to the subcommittee, are:

Albert Pettit, a resident of Laurel Canyon whose home is but 150 feet from the scene of the alleged beating and who was standing in his yard at the time of the incident.

Robert Gary, who also resided in the vicinity of the crime and whose car had been tampered with by one of the principles in an effort to expedite the crime.

Frank Markevikeo, friend of Hatfield, who, according to Hatfield, procured him to help in the crime.

These and other strong witnesses were totally ignored, even above protest by Defendant Massow, by Defense Counselor Ward Sullivan. It is a matter of record that Defendant Massow paid the sum of $800 "for investigation, plus expenses"—an investigation she did not receive.

Trial testimony failed to show any effort by Miss Massow to summon police. Yet Albert Pettit under oath, told this subcommittee that Defendant Massow approached him in an hysterical condition while the beating was in progress.

Gary, owner of a Ford automobile from which Tucker admittedly removed an ignition wire on the morning of June 30, 1947, testified under oath before this subcommittee that he passed and witnessed the true position of Gianaclis' car minutes after the incident, but was never in court to testify.

The people failed to hold as a witness Frank Markevikeo, named by Hatfield as the "contact man," who most assuredly could have shed much light on this fantastic case.

If one is to place any credence in the sworn affidavits of this subcommittee, it becomes all to obvious that the trial of Defendant Massow et al, was punctuated with perjured statements—not only deliberate

falsehoods, but twisted, damaging statements left unchallenged by the defense counsel.

Let us examine the testimony of Witness Barbara Jean Whitworth, appearing for the prosecution:

(Miss Whitworth can be identified as the girl friend of Tucker and admittedly was in on the plot from its inception Specifically, her job was to obtain the car used in the kidnapping.)

First, with reference to her statement given Sheriff's Officers Skelly and Robinson on July 5, 1947, and which is confessed by said officers was not properly recorded (note Sheriff's Criminal Division File No. A-90728, page 82, line 5):

Q After the men returned, what happened?

A. Tucker sent Marjorie and I to Hollywood to rent a car. He asked her if she had enough money, and then gave her $50 to rent it with. Marjorie drove to the Tanner Motor Livery on Sunset Blvd., and drove into the garage. She gave me the $50, a twenty, a ten, and four five-dollar bills, and I went into the office and rented the car—a Nash four-door sedan, it was light grey in color. It was then about 7 30 on Monday morning.

Contrast this with testimony given by Miss Whitworth at the preliminary hearing (see P.H.T., page 228, line 12):

Q. Was there any discussion before you left?

A. Yes, Tucker gave me $50.

(Page 228, lines 19, 20, 21, 22, and 23)

A. He said he had some business to attend to, and would I rent him a car.

The Court: Would you what?

A. Would I rent him a car in Hollywood.

Q. Did he tell you what kind of a car to get?

A. No, he didn't.

Q. Did you hear him make any remarks to Miss Meredith as to whether or not she had enough money before you left, before he gave you the $50?

A. No, not that I remember.

Q. What kind of money did he give you, do you remember?

A. I think it was tens and fives.

Again, contrast the above preliminary hearing testimony with that taken from the superior court trial transcript (see page 218, line 17):

Q. How much did you pay to rent the car?

A. $50.

Q. Where did you get that money?

A. It was given to me.

Q. By whom?

A. By Madge Meredith.

Q. What time and place?

A. When I arrived at Tanner's Service.

Q. Where was she when she gave you the $50?

A. She was in the car.

(Page 220, line 7.)

Q. And did you see Mr. Tucker, Mr. Klinkenberg, or Mr. Hatfield give any money to Miss Massow before you left with her and went to Hollywood?

A. No, I did not.

In view of such glaring discrepancies, this subcommittee asked for and received from Miss Whitworth a sworn affidavit which read, in part: "Marjorie Mae Massow gave me no money for any such purpose, ever at any time. I may have asked her to change some bills, but *she gave me no money.*"

Certainly, if the statements given by Miss Whitworth in her deposition to the subcommittee are true, there never did exist a union of joint operation of act and intent by and/or between Defendants Tucker and Massow which was alleged by the people to have been in existence, wherein Tucker and Miss Massow were accused of conspiracy to have Miss Whitworth rent an automobile.

There can be no other interpretation but that perjury had been committed by either person.

Miss Whitworth further swore to this subcommittee's investigators that she knew of the kidnapping a week or more before it occurred, that Defendant Tucker informed her that he was being paid to frame Miss Massow.

The subcommittee cannot lightly regard comparative testimony by Arthur Kachel, witness for the prosecution.

(Kachel, prominent Hollywood drama coach and retired high school teacher, lived in the Laurel Canyon area and was associated with Miss Massow and Gianaclis in some extremely involved property deals. During superior court trial he testified that he was out of town at the time of the alleged beating and kidnapping.)

Kachel stated to Committeeman Kilpatrick that he did not return to Los Angeles until 5.45 p.m. on the 30th. However, when shown a deposit slip under the date June 30th where he had deposited several hundred dollars in three checks he said, "Well, maybe I returned earlier."

At that point he was shown the ledger sheet of the Hollywood Athletic Club, his residence, which contained a dining room charge in the amount of $0.52 for the previous day. Kachel replied with: "What do you want me to say?"

Miss Massow, in court, testified that she had purchased liquor for Kachel on a number of occasions. Kachel denied this, stating he did not drink.

Yet the same club ledger revealed bar charges on numerous days during the month of July following for small amounts ranging from $0.25 to $0.70. This would tend to prove that he may not have been a teetotaler, at least.

A Hollywood high school check issued on July 5th in the amount of $125 was marked "W. E. July 3." Interpretation revealed this to mean "weekending July 3." So it was established that Kachel drew pay for a full week when he contended that he was in Bishop on a brief outing. In reply, Kachel said he was gone only for the weekend.

It can only be concluded that the above is another instance of perjury committed by a prosecution witness, also left unchallenged by defense counsel. The statements to your subcommittee by Miss Whitworth, and

numerous other details which coincide with facts obtained by the subcommittee under oath, but which positively contradict trial testimony, have been reiterated by Tucker from his cell in San Quentin.

Tucker has made a full confession, completely exonerating Defendant Massow of any complicity in the crime.

The subcommittee considers highly controversial the facts pertaining to a $4,000 cashier's check. It appears to have been a vital piece of evidence for the defense, but never was introduced in court.

(The above mentioned check is confessed by Tucker to have been "payment" by Gianaclis for the frame of Defendant Massow. Gianaclis, however, denies this and asserts the check was taken from him by the kidnappers in lonely Lopez Canyon where Gianaclis and Davis ultimately made their escape from the kidnappers.)

Regarding said check: The kidnapping occurred June 30th. The check was dated February 1st and drawn on the Hollywood State Bank. Gianaclis told the subcommittee on two occasions that the check was given to him by one Gene Sancola, a Ventura Blvd. drive-in restaurant operator. Yet, under oath, Mr. Sancola vehemently denied ever having given Gianaclis a $4,000 cashier's check.

Sancola produced an account of all his dealings with Gianaclis prior to February 1st. They amounted to a total of $2,033.99.

The subcommittee regards as highly significant the fact that on July 21, 1947, Gianaclis, in a statement to the Hollywood State Bank, said bandits had taken the check from him on June 30th. But Prosecuting Attorney J. Miller Leavy declared the check was lost. This statement never was contested by Defense Counsel Ward Sullivan.

Considerable time was spent delving into the backgrounds of all concerned with the trial.

Defendant Massow was found to have been of the highest moral character. Her arrest for this crime was her very first brush with the law. It was impossible to find a single untruth in her many statements to this subcommittee. Statements by her probation officer, Sheriff Eugene Biscailuz, and the Los Angeles County Jail chaplain were of an exemplary nature. All recommended leniency, and many expressed doubt that Defendant Massow was capable of the crime with which she was charged.

It appears that she was treated especially harsh by the district attorney's office and Judge Fricke. Miss Massow spent 11 months of "dead time" in the county jail awaiting hearings of her appeals. She was denied an appeal bond by Judge Fricke.

It was convict Tucker's confession that the motive behind Gianaclis desire to involve Miss Massow in criminal conspiracy to kidnap him and Verne Davis was: First, his personal affection for Miss Massow; Second, that she was a most promising source of lavish income, since she had entered into contracts with motion picture producers on escalator terms reading into seven figures; and Third, that she was breaking away from the domination he had held over her during several of her young and tender years, and this framed kidnaping was a devise of revenge and a means to force her to return to his domination.

On the other hand, Gianaclis, the man whom she was convicted of kidnapping and assaulting, was found to be almost contemptuous in dealing with the subcommittee. His background has been more than questionable.

He claims he does not know his age. He claims to have been born in Greece, yet when applying for his marriage license he listed Canada as his birthplace. He declared to sheriff's deputies Klinkenberg not to be one of the kidnapers even though it was Klinkenberg, armed, who held Gianaclis and Davis at bay more than three hours in lonely Lopez Canyon

Seldom does he use his real name in the course of his business relations. Since his marriage (he now is divorced) he has used his wife's maiden name, Vera Wall or V. Wall. He carried at least two accounts in the Hollywood State Bank prior to the kidnapping episode—one under the name of Hollywood Restaurant Supply, V. Wall, and another in the name of Bob Noe. Each of these accounts were about equal in deposit value, generally around $2,000.

In suing for divorce, his wife, Vera, testified that he had used at least 20 aliases.

Gianaclis now is under investigation by the United States Government, and has been for several years.

The subcommittee regrets that it was unable to question defendant Klinkenberg, who, it is understood, now resides outside the State of California It was hoped that Klinkenberg could be questioned regarding defendant Hatfield's allegation that he, Klinkenberg, was brutally beaten by Los Angeles sheriff's officers in efforts to obtain testimony damaging to Miss Massow. Hatfield, under oath, swore to this subcommittee that while incarcerated in the county jail Klinkenberg displayed bruises and cuts about his body which he said were inflicted by sheriff's investigators.

During the course of its investigation the subcommittee and its investigators were, on several occasions, threatened with great bodily harm should they continue their probe. These were in the form of anonymous telephone calls.

And it was demonstrated on numerous occasions that witnesses called before the subcommittee were extremely reluctant to testify, openly stating that they feared for their lives if asked to testify against Gianaclis. Nearly all residents of Laurel Canyon, in the neighborhood of Gianaclis, expressed grave fear of the man.

Yet many disinterested citizens voluntarily approached the subcommittee asking that they be of assistance in righting an obvious wrong. Two such citizens, Herbert Scofield, a retired Hollywood banker, and Charles Wilson, prominent Hollywood realtor, devoted fully six months time and their own funds to assist in gathering pertinent information.

It is the unequivocal opinion of this subcommittee, that had Miss Massow been properly defended in a court free of prejudice she undoubtedly would have been proven innocent of the crime she now is charged.

The subcommittee report is heavily briefed from a volumnious and detailed report delivered to the Adult Authority on December 19th last, at which time the subcommittee sat in with all the members of the Adult Authority for an extensive interview covering many of the ramifications of this kidnapping episode.

The subcommittee is very appreciative of the attention given by each and every member of the Adult Authority and the authority's executive secretary in the course of the subcommittee's extensive investigation.

We would like to state that each of the members of the Adult Authority has spent many late hours in addition to his regular duties in the study of the above case. It is probably true that no appeal for clemency has ever received greater attention by the authority than has the Massow case

We believe that the material supplied to the Adult Authority by the subcommittee had much to do with its recommendation that the Massow term be reduced to time served

The case is now before Governor Warren for final action

Respectfully submitted,

SUBCOMMITTEE OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS
VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE

A LOS ANGELES COUNTY JUVENILE OFFICER

This officer was most cooperative and eager to review the whole problem of handling juvenile delinquents and juvenile nondelinquents in the hope that legislation which would correct some of the faults in the present system might be enacted.

This officer has been in juvenile work for more than 25 years. He is past president of the California Juvenile Officers Association; formerly an instructor at the Delinquency Control Institute of the University of Southern California, and is an acknowledged authority on the problems of handling delinquents.

It was this officer's opinion that the greatest weakness of the existing program is insufficient personnel. Especially there is a great need for more personnel to give "first aid" in the way of juvenile officer counseling A larger staff would make it possible to put more minor offenders and border-line cases under voluntary police supervision. This would prevent minor cases from ever entering juvenile court. As he puts it, "I believe it is most important to keep as many juveniles from going to juvenile court as possible."

Another weakness in the law, according to this officer, is the mandatory provision compelling juvenile officers and/or juvenile departments to file a petition on an offender within 48 hours after apprehension. This section of the law, originally intended to protect the juvenile, works to his disadvantage in many cases. The over-worked staff of the average juvenile department has not sufficient time, within the 48-hour period, to make the necessary investigation and determine if the filing of a petition is warranted. In many cases a thorough investigation might reveal the comparatively minor character of the offense, and the juvenile might well be placed under voluntary police supervision.

In other cases a juvenile may be released if, within the 48-hour period, insufficient evidence is uncovered. A thorough investigation might show a definite need for juvenile court action and sterner treatment.

Many times, this officer believes, there has been too much leniency Some offenders have become opportunists. It causes them to become courtwise or juvenile court law-wise to the point of knowing that they might steal an automobile, drive it around and abandon it, and still have a good

chance of escaping with probation or some other reprimand if apprehended. These cases are found to be more frequent among the "better families." The court often recognizes the parents as responsible citizens and returns the juvenile offender to them for reprimand and supervision.

This officer's first suggestion was the standardization of qualifications and compensation for juvenile officers throughout the State. A second suggestion was for a protective center for women and children who are nondelinquent, but who are held in protective custody. This would answer the need of mothers with small children, of abandoned children, or of orphans left without homes due to loss of both parents. Especially there are many cases where a wife and mother is deserted by her husband and left without means.

Such a protective center has been needed in Los Angeles County for years. In connection with this recommendation, he believes, there should be a greater degree of cooperation between the Bureau of Public Assistance and law-enforcing agencies in protective cases.

There is also a need for clarification of the law regarding the contacting of children in the public schools by juvenile officers. This officer believes that the principal of the school should be present at all interviews with students who are contacted at the school proper.

He believes there should be some provision in the law making it a misdemeanor for a family to allow a child to spend the night in their home without first ascertaining if permission has been granted by the child's parents. The practice of one child going to the home of another to spend the night, without parental consent, has caused the department much concern. Many times, he states, they have put their entire force to work searching for the "missing child," tying up police emergency equipment, and spending unnecessary dollars and man-hours, only to have the child return to her home next morning after spending the night with her girl friend. Such a law would reduce this problem by a very large percentage.

One of the major needs, concurred in by juvenile officers and police chiefs in smaller incorporated towns in Los Angeles County, is the appointment by the court of qualified juvenile or probation officers to act as juvenile court referee in the disposition of juvenile traffic violations. This system would authorize the suspending of the juvenile's driving license, when warranted, for a certain period of time. At present the parent's consent and cooperation is required, thus, many juvenile traffic cases go unreprimanded.

A SOCIAL SERVICE LEADER

In developing its study for the handling of juveniles, your committee talked with many prominent social service leaders in the community. In these informal discussions on the subject opinions of competent authorities were noted; and it was thought these conclusions should be incorporated into the committee report.

When asked what is most needed in order to improve the over-all juvenile program in the city and county, a social service leader stated, "A better method of educating minority groups." This could be done by training teachers in the schools in the proper methods of teaching minority groups, specifically, the Mexican-Americans. Due to language difficulties this group should have a special type of instruction in order to

take their proper place in community life. He also states there is a great need for more training for all those who come in contact with youth. Constant in-service training is needed by school teachers, police officers and all staff members of public or private agencies that have contact with juveniles.

Another weakness noted by a social service leader is our juvenile court. This statement was qualified by saying it is weak from the standpoint of case load or a lack of modern thinking, but he does believe *that it is weak*. Also he believes there is a need for a larger probation staff—in the prevention field and the group guidance field particularly. The recent abolishing of the Group Guidance Unit of the County Probation Department, due to lack of funds, is a particularly severe blow. He believes there is a definite need for more camps and similar programs for the handling of juveniles delinquents, where they may be properly segregated—and will be treated as individuals instead of groups.

It was stated that public and private agencies take care of different facets of youth delinquency; but greater coordination should exist between the public and private programs and agencies. However, it was the general belief, that the most effective work could be done by the public agencies, due to the fact the force of law is behind them; while the family could accept or reject the program of the private agencies.

A YOUTH AUTHORITY OFFICER

In discussing the handling of juveniles with a consultant on juvenile control who is employed by the California Youth Authority, the consultant stated that police officers—the men on the beat—need training in the handling of juveniles because they are usually the first ones to contact the juvenile offender.

The thing most lacking and most needed is more psychiatric services and more probation personnel, and on a state level, more counselors for police departments. Cooperation between police departments and case work agencies is extremely important, he believes. Minor offenders may be sent to agencies where they can be handled, the family investigated and advised, he explained.

The Prevention Department of the Probation Department, known as the Community Coordinating Council, would be the most effective agency in the handling of juveniles if it could be expanded and able to place more workers in the field. Also, the case load of the probation services should be lightened by the addition of more personnel, allowing probation officers to work more closely with the individual.

He said it is difficult to separate private and public programs but there is a definite need for more public programs to reach the boy who would ordinarily shun the average private agency program. He also believes that there is an urgent need for a program for juveniles between the ages of 16 and 21 years.

This officer stated that in his opinion there is a need for psychiatric clinics in conjunction with the school system and there is also a need for psychiatric social workers who are trained in the field of handling juveniles and their problems at the school level.

A COUNTY PROBATION DEPARTMENT OFFICER

A probation officer states that there is an urgent need for regional offices of the probation department in order to handle the outlying areas of Los Angeles County. These offices would bring the probation officers in closer touch with the people of the area. It would help in the field of prevention as the officers, working closer with the various police departments, could advise and help families before the juvenile became involved in serious trouble.

He also believes a better way must be found for handling protective cases which now come before the juvenile court. The future of a child is often impaired—once the juvenile has been declared a ward of the court.

A SECOND COUNTY PROBATION OFFICER

This probation officer proposed that a law be enacted giving a juvenile offender the opportunity to expunge his record. A child who commits an offense before the age of 16 would have his record expunged and all traces of it removed upon his reaching the age of 21; provided, of course, that he committed no offenses during that period. If the offense were committed between the age of 16 to 18, the record would be expunged at the age of 25, provided the same conditions were met.

This would be a great incentive for a youngster to straighten out if he were assured that a mistake, made in childhood, would not forever hang over his head like the Sword of Damocles. It would also be a great aid to the probation officer At present there is little incentive that officers can offer a juvenile offender which will convince him that, because of once having made a mistake, his future life will not remain rocky because of that one transgression.

AN OFFICIAL OF THE LOS ANGELES COUNTY YOUTH COMMITTEE

This official believes that the officers handling juveniles should be higher paid, and as a corollary would attract better qualified personnel. The law enforcement departments should send more of their personnel to the Delinquency Control Institute at the University of Southern California for training in this specialized field.

In keeping with this program of training, rigid minimum standards should be established for all applicants for the position of juvenile officer.

There is also a need for an educational program among parents—what danger signals to look for—what constitutes a good home. He believes a good home to be:

(a) One in which the child is loved and wanted, and knows it;
(b) One in which the child does not have too much nor too little for himself;
(c) One in which the child has space and a place of his own;
(d) One in which the child belongs to the family and the family to him;
(e) One in which the parents recognize that mistakes are a part of the process of growing up;

(f) One in which, commensurate with his age and abilities, he plans for and with the family;
(g) One in which his degree of freedom is fitted to his age, his needs and his responsibilities;
(h) One in which he is liked and loved equally with other members of the family;
(i) One in which he is made to recognize the existence of God and a moral law;
(j) One in which moderate correction and discipline are in force.

He does not believe that we can judge which agency, public or private, is doing the best job; as each agency has the same function but comes into contact with the child in a different way. The private agency sets up a program and invites the child to come to it. The public agency sets up a program and goes to the child.

There is need for a broadened preventive program which will appeal to the juvenile. He also believes that a need exists for a program, both public and private, to reach juveniles between the ages of 18 and 21. This group seems to be forgotten, according to this official.

A JUVENILE COURT JUDGE

The judge said that the waiting time after a juvenile has been committed to the Youth Authority is three to six months. This time lapse is obviously harmful to the juvenile. Offenders waiting for Youth Authority acceptance take up space in county juvenile facilities which could be used to treat minor offenders who could be helped by the program. Due to the overcrowding the court must release on probation many cases that need training.

According to the judge, this situation could be remedied if the existing state facilities were expanded and the state clinic processes were speeded up. A large diagnostic clinic has been proposed for a number of years. If such an institution were established, it would greatly aid the county and state in the handling and treatment of juvenile offenders.

At present the hospitals have not enough space to handle the children from the age of one year to 14 years. Children as young as 15 are often put in adult wards The judge states that he only requests aid from the existing clinic for extreme cases and where children would become dangerous if allowed to go untreated. Once a juvenile has been committed to the clinic, there is a minimum wait of three months before treatment. According to the judge, there is an urgent need for:

(a) Building and staffing of a mental hygiene hospital to care for cases classed as juvenile;
(b) More trained psychiatrists: this cannot be achieved until the pay scale for such trained personnel is raised. The present $500 per month is insufficient On the county level the pay is even lower.
(c) More out-patient treatment clinics for the mentally ill.

VENTURA SCHOOL FOR GIRLS

An inspection of this institution revealed a shocking fire hazard. The buildings (of wood-frame construction) are quite old and the hillside and canyon location of the school is constantly menaced by the natural

fire hazard of the dry grass and brush surrounding the grounds. Moreover, it would be difficult to get fire fighting equipment to the institution, in case of a fire.

Between 175 and 180 girls, ages 16 to 21, are confined at the Ventura School. Your committee found that in each cottage the emergency exits from the second floor lead to a locked doorway that in turn opens on a *wooden fire escape* These fire escapes were constructed after a warning from the fire marshal that he would condemn the buildings if an additional outside stairway was not added.

It was stated that for security reasons the fire escape doors must remain locked. Under such conditions it is questionable whether or not the lone woman supervisor could evacuate the girls in case of fire.

Your committee found that fire extinguishers had not been checked according to manufacturers specifications or recommendations. Highly combustible material was found in unused laundry chutes, closets and basements. The boilers and heating units are not in fireproof rooms, and, apparently, little attempt is made to reduce the constant hazard of fire. For example, the girls are permitted to smoke anywhere on the institution grounds, This presents a constant danger during the dry season, as weeds and grass surround the buildings and in places have completely choked out the walks.

Supervisors at the institution explain the unkempt condition of the grounds by saying that they do not have enough male maintenance personnel to perform the necessary work and that the girls are unable to do this type of "heavy work," such as hoeing and pulling grass

It is the opinion of your committee that the girls, ages 16 to 21, are perfectly capable of doing this work. Your committee points to the womens' institution at Tehachapi with its well kept lawns and flowers maintained by the women inmates.

Perversion is something prevailing in every institution and must be constantly guarded against. Signs of homosexuality among these young women should receive psychiatric treatment, in the opinion of your committee. Many of the girls wear short butch-type haircuts and are typical of the homosexual type among girls When asked what control was exercised over sexual deviates at the school, a supervisor replied, "Well, we just ignore them; each one of the girls that you see with short haircuts, and others too, have had a very full sex life before they entered the institution; and we believe that if we make any remonstrances to them about the way they dress, the way they cut their hair, the way they talk and act, that it would make matters worse. The supervisor said that each of the tomboys had their "chicks"—girls they picked out as favorites and held hands with and at times had been found embracing and kissing. To her knowledge, that was as far as it went.

The facilities for rehabilitation at this institution are meager. No records are kept on the relative progress of the girls under the vocational rehabilitation program A hobby class, where the girls make hooked rugs, ceramics, etc., appears to be the extent of the rehabilitation program for these young women. Academic courses ranging from the lower grammar school grades to high school level plus a few college work courses are taught at the school. A course in homemaking is also taught at the institution. Many of these classes are conducted in the basement of the auditorium building in rather bleak surroundings.

An inspection of the cottages revealed the fact that none could meet the lowest standards of any boys' institution. The toilets, showers, and bath tubs at the school were actually filthy. The wash bowls were dirty and the fixtures unpolished. In the dormitories the beds were not made properly; gum coating was found on the beds and window sills, and dirty discarded underclothing was left lying under their beds. Dried orange peels, nut shells, candy wrappers and papers littered the tops of lockers. Even the hospital facilities at this institution do not appear up to standard. For example, dentistry equipment is antiquated and should be replaced.

Starches seem to predominate in the girls diet; potatoes, beans, and bread amounting to four slices per girl all at one meal. A tray being sent to a girl in the disciplinary quarters was noted as follows: four slices of bread, peanut butter, macaroni, milk and one apple. As might be imagined, most of the girls at the school are quite fat. A supervisor explained this by saying that most girl delinquents were of the obese type. This explanation is not borne out by visits to other institutions. Morale at the school is good. The girls all seem quite happy. The cost of maintaining this institution is approximately $2,400 per girl, per year. This is the highest per capita cost of any similar institution in the State.

It is the opinion of your committee that, on the whole, this institution is one of the greatest failures of the Youth Authority and correctional steps should be taken in order to carry out a program of rehabilitation of these girls.

LOS GUILUCOS SCHOOL FOR GIRLS

This institution for girls is located in the hills about 10 miles from Santa Rosa. Facilities for the staff and the inmates are very poor. Some of the buildings were constructed as far back as 1885. Approximately 125 girls, ages 13 to 16, are incarcerated in this minimum security institution.

The grounds are unsuited for recreational activities, and, aside from the swimming pool, the girls have little opportunity for recreation. A small bit of farming is done here. Some table vegetables are raised and a chicken ranch is located on the grounds.

The buildings are the same type of fire-trap structures which are in use at the girls school near Ventura. Weeds and grass are allowed to grow around the buildings and a fire hazard is constantly presented. The appearance of the grounds is very poor. The same excuse for the untidy condition, lack of male maintenance personnel, was given here. Again your committee feels these girls are perfectly capable of occasionally wielding a hoe or rake.

The fire-fighting equipment is in poor repair. The fire truck, donated to the State by the Department of Forestry, has extinguishers which show that the last fire inspection made here was in 1945.

The academic training the girls receive is equal to that given in the Public School System. Probationary teachers from the University of California at Berkeley, from Stanford University, from the University of San Francisco, and from other colleges in the vicinity come to Los Guilucos for a three-months period. These intern teachers supplement the regular teachers, observe the program, teach classes, and help supervise the girls in vocational training. A sewing room offers an opportunity

for the girls to learn to sew. Laundry work and other tasks necessary for the maintenance of the institution are made a part of the vocational training here.

A full-time nurse is stationed at the school, and a doctor comes once a week for routine medical examination. The doctor is on call from Santa Rosa when medical attention is needed. The staff at this school appears to have gone to work in earnest to teach sex education, mental hygiene, and related subjects to the girls.

The cottages are partitioned into private rooms; in some cases two girls occupy one room containing bunk beds. They are allowed to keep their personal property in their rooms. Some of the rooms are quite large, allowing space for two dressers. There is ample closet space, and different colored bedspreads give some resemblance to a room they might have at home. It was noticed that more girls wear dresses here than was the case at the Ventura School for Girls.

A supervisor remarked that the girls received from Los Angeles County are the most difficult to handle Many of them have been drug addicts. Some come with tattoo marks on them and a strong inclination to form gang groups at the institution.

One thing observed by your committee was the fact that some of the girls did not belong in a correctional institution. One little girl, an orphan, was 11 years old—her greatest crime had been to run away from foster homes; and for this reason she must live in a correctional institution. It would appear that the occurrence of this misfortune is a failure on the part of the county probation department. Otherwise the child would not have been placed in a home from which she would want to run away.

The food at Los Guilucos is well prepared and the diet is adequate. The correctional officers, instructors, and inmates are all served the same food. This practice might be good to follow at other institutions.

The swimming pool is a great morale builder. It gives the girls, many who have never had an opportunity to swim before, a chance to excel at something. Students from the Santa Rosa College, boys and girls, come out and teach the girls how to swim. These students also give life saving instructions and lifeguard training. A number of the girls at Los Guillicos institution have received their lifeguard certificates.

Morale is quite good; the personnel is well-liked and from all appearances respected by girls.

PASO ROBLES SCHOOL FOR BOYS

The Paso Robles School for Boys is a *temporary* installation of the Youth Authority. This may account for the run-down condition of the buildings and grounds. New quarters are to be constructed shortly.

Approximately 125 boys aged 15 and 16 are housed in army surplus barracks at this minimum security institution. The average boy is sent here for minor infractions of the law, such as truancy or running away from home.

A quonset hut serves as a medical building, and a physical checkup of the boys is made periodically; but the institution does not have a full-time doctor or nurse. All medical attention given the boys outside of the clinic is done in the hospital at Paso Robles or Bakersfield.

The buildings are in very poor repair. The entire institution shows signs of neglect. Toilets are of the outside type and papers and scraps of

soap litter the floor of these washrooms. These toilets are stained inside and outside, and the washbowls are coated with dirt. An odor about the boys reveals that they have not bathed properly or have not bathed often enough and have not received clean clothing when they should.

With the exception of a few garden vegetables raised on the grounds, everything consumed is purchased from the outside. There is no difference between staff and inmate food. Both are served at the same dining room. Your committee was told that rations were sent to them from a diet prepared in Sacramento, and as many as five bean meals in one week are served. It is the opinion of the committee that the food served is poorly prepared and inadequate for growing boys.

The boys are allowed considerable freedom of choice in developing hobbies. Model airplanes building is encouraged. Classrooms are small and cramped at the present time; however academic and vocational training is taught by a staff of competent instructors.

Discipline is not too rigid. A segregation unit, for boys who are constantly starting fights and cannot fit into the program, appeared to be clean and well kept. Of necessity the discipline in this unit is more strict than in the other cottages.

Your committee feels that the Youth Authority has allowed this institution to drop below minimum standards.

CALIFORNIA VOCATIONAL INSTITUTION

This temporary institution, located near Lancaster, in Los Angeles County, is under control of the Youth Authority. Originally it was a training center for pilots of the Royal Air Force, and at present the army type barracks are in a rundown condition. It is planned to relocate the plant near Tracy in the near future.

Boys between the ages of 16 and 21 years are confined here. A high, heavy mesh wire fence surrounds the grounds and armed guards are stationed at each gun tower. This institution would certainly be classified as of the maximum security type, and as a matter of record all attempted escapes have failed here.

An excellent record system has been installed and all the important information on each inmate is noted in his file A staff of psychiatrists, psychologists, and sociologists keep a constant progress report on each boy's ability to learn, his vocational program, his behavior and all related information. The report of the school chaplain is also included in each boy's case history.

A typical barrack houses 100 boys. Toilet facilities are located in the center of the building; this divides the building into two units. Each unit contains 50 beds. A correctional guard is stationed at a central position. At night he patrols the barrack and reports to the gate every 30 minutes. Some of these barracks have a wired off section at one end where boys who must be kept in protective custody are separated from the others. In this section are kept sexual deviates and others who might come to harm from the rest of the inmates.

Another maximum security building is used to confine boys who have broken some of the major rules, such as fighting, causing disturbances, or insubordination. It is used more as a place of meditation. A boy who is caught stealing from another boy's locker may be confined here.

The more difficult type of boy is kept in a separate segregation unit all of the time. These are boys who are always starting fights, aggressive homosexual types, and others who are thoroughly incorrigible. These boys are under constant 24-hour supervision and are not allowed to go to school or into the vocational trades until they have satisfactorily proved to the administration that they are capable of mingling with the other inmates.

The food is quite good and the diet well balanced. The correctional personnel have a choice of staff meals or "main line feeding," and in most cases select food from the line.

Recreational facilities are good: baseball, basketball and other sports are part of the physical training program. A large swimming pool, left by the air force, is used for swimming courses. The boys are also allowed to use the pool in their off hours.

A staff of instructors conduct classes ranging from primary school to college work. Some of the boys enter the institution completely illiterate. This group receives special attention and, according to the instructors, seem eager to learn.

Most of the vocational training classes are conducted in the hangar buildings that were left by the air force when the grounds were turned over to the State of California. A machine shop provides training in lathe work and related machine shop operations. A motor mechanics department has four automobiles which are torn down and rebuilt by the boys. Much of the maintenance of the institution is done by boys who have been trained in cabinet making and carpentry. A shoe shop offers vocational training plus shoe repairing for the inmates. House wiring, motor winding, and radio repair work is taught in the electrical department. Many of the boys, upon their release, will be competent to enter various trades as apprentices. All of the instructors were competent, cooperative, and very proud of their pupils.

The most coveted of all is the aircraft training course. The school has been granted authority to license men who have completed the 1,000 hours of training under C. A. A. guidance. In this course they have all the necessary equipment needed to train an aircraft maintenance man. They have the opportunity to work on a flyable C-46 aircraft that is parked just outside the security gate. A small cabin aircraft, single engine, is kept at the hangar. Several test stands for propellers and carburetors are part of the equipment.

The instructor in this department has had many years of aircraft experience. Before he will even allow a boy to enter the course, the boy must show a willingness for hard work and the ability to learn.

A mattress plant, that can renovate hundreds of mattresses in one day, is in full operation. This work is done for the Lancaster institution, as well as other state institutions, on an industrial basis.

The laundry department serves the institution and offers an excellent vocational course in laundry operation. Modern machinery has been installed equal to that of the average small laundry.

Your committee feels that this institution—The California Vocational Institute—deserves praise for its achievement under the direction of the Youth Authority.

PRESTON SCHOOL OF INDUSTRY

The Preston School of Industry, once an institution of terror, has become in recent years an actual industrial school for boys. Approximately 700 young men, ranging in ages from 16 to 21, are confined at this institution which has the reputation of being the last chance for a boy to straighten out and lead an upright, honest life. Boys, under control of the Youth Authority, are sent here according to the type of crime committed and their ability to adjust themselves to a program.

Inmates at Preston are called cadets. Cadet captains and others of higher rank have a certain amount of authority over the individual cadet. The system is somewhat analogous to the armed forces.

In past years much of the disciplinary action was done by the cadet captain. For example, if a boy was even suspected of some minor infraction of the rules, the cadet captain would slap, punch, or kick him, depending on the whim of the cadet captain. These cadet captains were selected for their size, ability to fight, and general all-around brutality and sadism.

Under the present administration, this disciplinary action has been completely abolished. The cadet system is still in force, but the cadet captain is chosen for his leadership, his ability, his integrity, and the example he sets. He still has a higher position than the others, but it is a position of honor. No cadet officer is allowed to discipline another inmate and the cadet officer positions are rotated periodically.

Vocational training facilities are inadequate at present. Some of the shops are located in buildings too small to accommodate more than a few boys at a time This condition is being remedied and newer buildings are being constructed.

An automotive shop provides training, under good guidance, for many of the boys. Repairs on automobiles, tractors, and other power-driven machinery used at the institution are done by the inmates. A garage set-up duplicates a modern service station, with gas pumps, wash rack, and all the usual facilities to be found at a first class service station.

Electric wiring, sheetmetal work, shoe repairing, carpentry, house painting and printing are among the other trades taught the boys here.

One of the most impressive training projects at Preston is the dairy farm A modern dairy farm is located just off the grounds, and the boys who train here are given the honor position at the school. They do not have intensive supervision and live in dormitories. These trainees start by cleaning up the cow barns. Then they move along through can washing, milking, and other occupations until they reach the end of the line which is the pasteurizing, separating, and homogenizing department. Evenings are spent studying and preparing for the state pasteurizing examination. Many of the boys have received their state license qualifying them for technical dairy work.

A farm program raises 75 percent of the products needed at the institution. A boy is given a plot of ground and told what he is to raise. Supervision is given and advice offered each boy. The boys take great pride in their gardens and compete against one another for the biggest tomatoes, etc.

Located in the segregation unit is the laundry of the institution. It is set apart from the rest of the buildings. Boys who cannot successfully associate with the others are housed here. In addition to the laundry the tailor shop is located in this same segregation unit. Pressing ma-

chines, operated by the inmates, meet the needs of the school and also give practical training in cleaning and pressing.

A modern well-equipped hospital has been established with an X-ray laboratory and surgery. Two doctors are on the staff, and inmates receive competent medical attention.

The Preston School has an auditorium with a seating capacity of 1,000. Adjoining the auditorium is a beautiful chapel, used by both Protestant and Catholic chaplains.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Hiram Hopkins of Petaluma.

On request of Messrs. Geddes and Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Richard M. Smith and Robert T. Radford of Monrovia.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Maurice Stanley of Newport Harbor.

On request of Mr Beck, the usual courtesies of the Assembly for this day were unanimously extended to Don Jaqua, A. G. Marquardt, William Redman, and Logan White of Antelope Valley.

On request of Mr Luckel and San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Captain Clinton Smith and Comdr R. C. Shively, of San Diego.

On request of Mr. Doyle and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Moseley Jones of Los Angeles

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to James Francis Sorensen of Fresno.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to W. H. Goodrich and L. Rasmussen of Los Angeles.

On request of Messrs. Conrad and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Richard K. Yeamans of North Hollywood.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Judge Roy Bennett, former Member of the Assembly and Mrs. Bennett of Los Angeles.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Rev. John MacDonald of Nevada City.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Billy Burke of Los Angeles.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph Luick of Smith River.

ADJOURNMENT

At 3.07 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 27, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

THIRTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 27, 1951

The Assembly met at 10 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

O God, most Holy, Wise and Powerful, Creator, Preserver and Governor of all Thy creatures and their actions, keep us this day in health of body and mind, in purity of heart and cheerfulness of spirit, with charity in our hearts toward all mankind. Thou has bidden us to walk humbly with Thee, to act justly with others, and to seek peace with our fellow men.

Grant guidance to the President of the United States, our Governor, the Speaker of this Assembly, and each member in the discharge of our important responsibilities

"O God of Love, whose spirit wakes
In every human breast,
Whom love, and love alone, can know,
In whom all hearts find rest,
Help us to spread Thy gracious reign
Till greed and hate shall cease,
And kindness dwell in human hearts
And all the earth find peace"

In Jesus name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lipscomb, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Klocksiem.
Mr. Stewart, on motion of Mr. Klocksiem.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1155

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2258
Assembly Bill No. 2760

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER. Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 3157

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 2213

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred.

Assembly Bill No. 389

Has had the same under consideration, and reports the same back with the recommendation: Do pass

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1158

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 771
Assembly Bill No. 768
Assembly Bill No. 1833
Assembly Bill No. 2280
Assembly Bill No. 3378

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 782
Assembly Bill No. 1565

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 627
Assembly Bill No. 1818
Assembly Bill No. 1831
Assembly Bill No. 1832
Assembly Bill No. 1834
Assembly Bill No. 1835
Assembly Bill No. 1852

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 428
Assembly Bill No. 429
Assembly Bill No. 430
Assembly Bill No. 432

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency and Economy.

BROWN, Chairman

Above reported bills ordered re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 431
Assembly Bill No. 433

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 68
Assembly Bill No. 69
Assembly Bill No. 70
Assembly Bill No. 75

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 292
Assembly Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 71
Assembly Bill No. 2900

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 34
Assembly Bill No. 63

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2386
Assembly Bill No. 2387
Assembly Bill No. 2389
Assembly Bill No. 2390

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

GEDDES, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 347

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 992

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 342
Assembly Bill No. 817
Assembly Bill No. 2391

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 346
Assembly Bill No. 913
Assembly Bill No. 1609
Assembly Bill No. 1918
Assembly Bill No. 2388

Has had the same under consideration, and reports the same back with the recommendation: Do pass

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 20
Assembly Joint Resolution No. 21
Assembly Joint Resolution No. 23

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 26
Senate Bill No. 1012
Senate Bill No. 1013

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 26—An act amending Section 1556 of, and to add Section 1556.1 to, the Probate Code, relating to guardianship proceedings, providing for the fixing and allowing of guardian's compensations.

Referred to Committee on Judiciary.

Senate Bill No. 1012—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a system of state and local government, by adding Sections 22, 22 1, 22 2, and 23 to 23.6, inclusive, to the Civil Code; by adding Chapter 2 5, comprising Sections 39 to 39.6, inclusive, to Title 1, Part 1 of the Code of Civil Procedure; by adding Sections 12b, 41, 58 to 58.8, inclusive, 59 to 59.8, inclusive, 60 to 60.4, inclusive, 61 to 61.8, inclusive, 62, 62.1, 65.1, 65 2, 78, 78.1, 79 to 79.58, inclusive, 98 to 98.7, inclusive, 196 and 196.1, 262 to 262.10, inclusive, 268, 304 to 304.4, inclusive, 537.5, 577 5, and 1885 to 1885.2, inclusive, to the Code of Civil Procedure; by adding Sections 1225 and 1227 to the Government Code; by adding Chapter 7, comprising Sections 6700 to 6706, inclusive, Chapter 8, comprising Sections 6800 to 6807, inclusive, and Chapter 9, comprising Sections 6850 to 6851, inclusive, to Division 7, Title 1 of the Government Code; by adding Article 8, comprising Sections 13240 and 13241, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code; by adding Chapter 2, comprising Sections 15100 to 15105, inclusive, to Part 6, Division 3, Title 2 of the Government Code; by adding Part 9, comprising Sections 15600 to 15645, inclusive, to Division 3, Title 2 of the Government Code; by adding Section 24350.5 to the Government Code; by adding Section 8154.1 to the Education Code; by adding Sections 29, 30, and 31 to the Revenue and Taxation Code; by adding Part 12, comprising Sections 28001 to 28208, inclusive, to Division 2 of the Revenue and Taxation Code; by adding Sections 1039 and 1039.1 to the Penal Code; by adding Section 6210.1 to the Public Resources Code; by adding Sections 32 to 37, inclusive, to the Municipal Court Act of 1925; and by repealing an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, and sections of the Political Code specified herein.

Referred to Committee on Judiciary.

Senate Bill No. 1013—An act to repeal Chapter 6, comprising Sections 3136 to 3158, inclusive, of Title 7, Part 3 of the Political Code and to add Chapter 4, comprising Sections 2080 to 2082, inclusive, to Title 6, Part 4, Division 3 of the Civil Code, consolidating and revising the law, relating to lost and unclaimed property.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 23
Senate Bill No. 185
Senate Bill No. 186
Senate Bill No. 187
Senate Bill No. 188
Senate Bill No. 191
Senate Bill No. 192
Senate Bill No. 193
Senate Bill No. 194
Senate Bill No. 195
Senate Bill No. 196
Senate Bill No. 197
Senate Bill No. 199
Senate Bill No. 200
Senate Bill No. 201
Senate Bill No. 202
Senate Bill No. 234
Senate Bill No. 376
Senate Bill No. 427
Senate Bill No. 431
Senate Bill No. 542
Senate Bill No. 558
Senate Bill No. 665
Senate Bill No. 894
Senate Bill No. 1468

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 23—An act to add Chapter 3 to Part 1, Division 3 of the Government Code, consisting of Sections 36700 and 36701, relating to compensation of elective officers of counties, townships, and cities, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 185—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Senate Bill No. 186—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Referred to Committee on Finance and Insurance

Senate Bill No. 187—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Senate Bill No. 188—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Referred to Committee on Finance and Insurance.

Senate Bill No. 191—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Senate Bill No. 192—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Referred to Committee on Finance and Insurance.

Senate Bill No. 193—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Referred to Committee on Finance and Insurance.

Senate Bill No. 194—An act to amend Section 201 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Senate Bill No. 195—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Referred to Committee on Finance and Insurance

Senate Bill No. 196—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of license.

Referred to Committee on Finance and Insurance.

Senate Bill No. 197—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses.

Referred to Committee on Finance and Insurance.

Senate Bill No. 199—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders

Referred to Committee on Finance and Insurance.

Senate Bill No. 200—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Referred to Committee on Finance and Insurance.

Senate Bill No. 201—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets

Referred to Committee on Finance and Insurance

Senate Bill No. 202—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Referred to Committee on Finance and Insurance

Senate Bill No. 234—An act to amend Sections 4303 and 4304 of the Government Code, relating to public contracts.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 376—An act to amend the heading of Chapter 2 of Part 6.5, Division 11 of the Water Code, to add a heading for Article 1 of, and to add Article 2 to, Chapter 2, Part 6 5, Division 11 of the Water Code, relating to distribution districts in irrigations districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 427—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance to veterans.

Referred to Committee on Military Affairs.

Senate Bill No. 431—An act to amend Sections 3211.92, 3361, and 4458 of the Labor Code, relating to volunteer fire departments and volunteer firemen.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 542—An act to add Sections 1257 and 1437 to the Banking Code, relating to reserves.

Referred to Committee on Finance and Insurance.

Senate Bill No. 558—An act to add Section 23956 to the Water Code, relating to facilities use charges for irrigation district improvement districts and validating proceedings heretofore taken by district boards to establish such charges, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 665—An act to amend Section 26 of the Construction and Employment Act, relating to the allocation of state funds to local agencies for the construction of public works

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 894—An act to add Section 88.2 to the Agricultural Code, relating to the extraction of mineral deposits from lands owned or controlled by district agricultural associations and providing for the disposition of the proceeds thereof.

Referred to Committee on Agriculture.

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Referred to Committee on Municipal and County Government

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 26: By Mr. Dolwig—Relative to the construction of the Pillar Point Breakwater Project at Half Moon Bay, California.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER. Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2790

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 99

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER Your Committee on Rules, to which were referred:

House Resolution No. 96
House Resolution No 100

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 20
Assembly Joint Resolution No. 21
Assembly Joint Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1031 BE RE-REFERRED TO COMMITTEE

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Bill No. 1031 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1314—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "Any", and insert "No".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "who delivers or transfers", and insert "shall deliver or transfer".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "or who delivers or transfers", and insert "nor deliver or transfer".

Amendment No. 4

On page 2, line 9, of the printed bill, strike out "or who transfers or delivers", and insert "nor deliver or transfer".

Amendment No. 5

On page 2, line 15, of the printed bill, strike out "any", and insert "no".

Amendment No. 6

On page 2 of the printed bill, commencing in line 17, strike out "who pays or delivers", and insert "or standing in the name of the decedent subject to the right of any other person or persons to draw upon or withdraw the same shall pay or deliver".

Amendment No. 7

On page 2, line 29, of the printed bill, strike out the semicolon, and insert a period.

Amendment No. 8

On page 2 of the printed bill, strike out lines 30, 31, and 32.

Amendment No. 9

On page 2, line 41, of the printed bill, following the period, insert "Any safe deposit company, trust company, corporation, bank, other institution, or person required to comply with the provisions of this article but failing to do so is liable to the State for the amount of any tax, interest or penalty due and payable under this part on the transfer of the property involved, if solely by reason of such transfer or payment the State is unable to recover the same."

Amendment No. 10

On page 2, line 48, of the printed bill, strike out "Section 14345", and insert "this section".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1155 re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1090—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Thomas, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1688—An act to add Section 2006.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Speaker Presiding

At 10.35 a.m., Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Caldecott, Geddes, Rosenthal, Burke, and Beck demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1688.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Waters—62.

NOES—Clarke, Grunsky, Hansen, Lanterman, Levering, Lowrey, Lyon, Silliman, and Tomlinson—9.

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Waters arose to the following point of order: That 10.30 a m has arrived, the hour for the special order of business, and that other business, at this time, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

Motion for Committee of the Whole

Mr. Coats moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No 42, at this time.

Mr. Beck seconded the motion.

Substitute Motion for Committee of the Whole

Mr. Condon moved, as a substitute motion, that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bills Nos. 141, 41, and 42 in the order named.

Mr. Beck seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Munnell, Parker, Rumford, Shaw, and Stanley—24.

NOES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Tomlinson, Waters, and Mr. Speaker—47.

Consideration of Special Order

The hour having arrived, Assembly Bill No. 141 was taken up.

Assembly Bill No. 141—An act to amend Section 480 of the Government Code, relating to the division of the State into senatorial districts.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Waters is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken

Point of Order

Mr. Silliman arose to the following point of order: That Mr Elliott is not speaking to the question.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 141.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

Consideration of Special Order

The hour having arrived, Assembly Bill No. 41 was taken up.

Assembly Bill No. 41—An act to repeal existing Section 491 of, and to add new Section 491, to the Government Code, relating to the division of the State into assembly districts.

Bill read third time.

Consideration of Proposed Amendments
Unanimous Consent Request That Procedure Be Changed

Mr. Beck asked for unanimous consent that the Rules be temporarily suspended for the purpose of changing procedure so that Mr. Waters may be permitted to explain the bill in detail prior to the consideration of amendments.

Mr. Waters withheld unanimous consent.

The question being on the consideration of proposed amendments to Assembly Bill No. 41.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 15 to 50, inclusive; strike out all of page 8; and on page 9, strike out lines 1 to 15, inclusive, and insert

"Commencing at the point of intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets:

Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to 7th Avenue, 7th Avenue to Kirkham, Kirkham to 19th Avenue, 19th Avenue to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, westerly and southerly along said shoreline to the center line of Sloat and the point of commencement, shall constitute the Nineteenth Assembly District.

20. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Market and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Market to Powell, Powell to Post, Post to Van Ness, Van Ness to South Van Ness, South Van Ness to Army, Army to Bayshore Boulevard, Bayshore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, easterly along said boundary line to the shoreline of the Bay of San Francisco, northerly along said shoreline to the center line of Market Street and the point of commencement, shall constitute the Twentieth Assembly District.

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to

Baker, Baker to Geary, Geary to St. Joseph, St. Joseph to Turk, Turk to Baker, Baker to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly and easterly along the shoreline of the Pacific Ocean and the Bay of San Francisco to the center line of Pacific Street and the point of commencement, shall constitute the Twenty-first Assembly District.

22. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to Baker, Baker to Geary, Geary to St. Joseph, St. Joseph to Turk, Turk to Baker, Baker to Oak, Oak to Van Ness, Van Ness to Post, Post to Powell, Powell to Market, Market to the shoreline of the Bay of San Francisco, and northerly along said shoreline to the center line of Pacific and the point of commencement, shall constitute the Twenty-second Assembly District.

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of Market and South Van Ness; thence along the center lines of the following streets:

Market to Dolores, Dolores to Army, Army to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the center line of Bayshore Boulevard, Bayshore Boulevard to Army, Army to South Van Ness, South Van Ness to the center line of Market and the point of commencement, shall constitute the Twenty-third Assembly District.

24. All that portion of the City and County of San Francisco bounded and described as follows.

Commencing at the intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets

Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence westerly along said boundary line to the shoreline of the Pacific Ocean, and northerly along said shoreline to its intersection with the center line of Sloat and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of 19th Avenue and Fulton, thence along the center lines of the following streets:

19th Avenue to Kirkham, Kirkham to 7th Avenue, 7th Avenue to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Army, Army to Dolores, Dolores to Market, Market to Oak, Oak to Baker, Baker to Fulton, Fulton to 19th Avenue, and the point of commencement, shall constitute the Twenty-fifth Assembly District"

Amendment No. 2

On page 9 of said bill, strike out lines 16 to 32, inclusive, strike out all of page 10; and on page 11, strike out lines 1 to 21, inclusive, and insert

"26. The County of San Mateo shall constitute the Twenty-sixth Assembly District."

Amendments read.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. George D. Collins is not speaking at his seat.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Permit Mr. George D. Collins to Speak Away From His Seat

Mr. Waters moved that Mr. George D. Collins be permitted to speak in front of the blackboard, instead of at his seat.

Mr. Hawkins seconded the motion.

Motion carried.

The question being on the adoption of the amendments offered by Mr. Maloney to Assembly Bill No. 41.

Motion That Additional Time Be Granted Mr. George D. Collins

Mr. Waters moved that additional time be granted Mr. George D. Collins for the purpose of debate on the amendments presently before the House.

Mr. Elliott seconded the motion.

Motion carried.

The question being on the adoption of the amendments offered by Mr. Maloney.

Demand for Previous Question

Messrs. Kirkwood, Grunsky, Lyon, Lincoln, and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Maloney to Assembly Bill No. 41.

Roll Call Demanded

Messrs. George D. Collins, Gaffney, and Condon demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Connolly, Crowley, Dunn, Elliott, Gaffney, Hagen, Henderson, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Niehouse, Parker, and Rumford—21

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCollister, McGee, Morris, Moss, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—48.

Consideration of Further Amendments
Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 15 to 50, inclusive; strike out all of page 8; and on page 9, strike out lines 1 to 15, inclusive, and insert

"Commencing at the point of intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets:

Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to 7th Avenue, 7th Avenue to Kirkham, Kirkham to 19th Avenue, 19th Avenue to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, westerly and southerly along said shoreline to the center line of Sloat and the point of commencement, shall constitute the Nineteenth Assembly District.

20 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Market and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets.

Market to Powell, Powell to Post, Post to Van Ness, Van Ness to South Van Ness, South Van Ness to Army, Army to Bayshore Boulevard, Bayshore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, easterly along said boundary line to the shoreline of the Bay of San Francisco, northerly along said shoreline to the center line of Market Street and the point of commencement, shall constitute the Twentieth Assembly District

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to Baker, Baker to Geary, Geary to St. Joseph, St Joseph to Turk, Turk to Baker, Baker to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly and easterly along the shoreline of the Pacific Ocean and the Bay of San Francisco to the center line of Pacific Street and the point of commencement, shall constitute the Twenty-first Assembly District

22 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to Baker, Baker to Geary, Geary to St Joseph, St. Joseph to Turk, Turk to Baker, Baker to Oak, Oak to Van Ness, Van Ness to Post, Post to Powell, Powell to Market, Market to the shoreline of the Bay of San Francisco, and northerly along said shoreline to the center line of Pacific and the point of commencement, shall constitute the Twenty-second Assembly District.

23 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of Market and South Van Ness; thence along the center lines of the following streets

Market to Dolores, Dolores to Army, Army to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the center line of Bayshore Boulevard, Bayshore Boulevard to Army, Army to South Van Ness, South Van Ness to the center line of Market and the point of commencement, shall constitute the Twenty-third Assembly District

24 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets:

Sloat to Sunset Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to Woodside Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street 30th Street to San Jose San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence westerly along said boundary line to the shoreline of the Pacific Ocean, and northerly along said shoreline to its intersection with the center line of Sloat and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of 19th Avenue and Fulton, thence along the center lines of the following streets:

Nineteenth Avenue to Kirkham, Kirkham to Seventh Avenue, Seventh Avenue to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Army, Army to Dolores Dolores to Market, Market to Oak, Oak to Baker, Baker to Fulton, Fulton to 19th Avenue, and the point of commencement, shall constitute the Twenty-fifth Assembly District"

Amendment No. 2

On page 9 of said bill, strike out lines 16 to 32, inclusive; strike out all of page 10; and on page 11, strike out lines 1 to 21, inclusive, and insert

"26. The County of San Mateo shall constitute the Twenty-sixth Assembly District."

Amendments read.

Point of Order

Mr. Grunsky arose to the following point of order: That the amendments being offered by Mr. George D. Collins are similar to those offered by Mr Maloney, and hence are not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Demand for Previous Question

Messrs. Lyon, Kirkwood, Kelly, Geddes, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Bill No. 41.

Roll Call Demanded

Messrs. George D. Collins, Condon, and Coats demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Brown, Coats, George D Collins, Condon, Connolly, Dunn, Elliott, Gaffney, Hagen, Henderson, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Niehouse, Parker, and Rumford—22

NOES—Babbage, Beck, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—47

Consideration of Further Amendments

Motion to Amend

Mr. McFall moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 36 and 37, and insert

"13. All that portion of the County of San Joaquin bounded and described as follows:

Beginning at the intersection of the Stockton Diverting Canal and the section line between Sections 29 and 41 of C. M. Weber's Grant [El Rancho del Campo de Los Franceses]; thence southerly along said section line and along the section line between Sections 30 and 42 and Sections 31 and 43 [which is Sanguinetti Lane] to its intersection with the northerly line of Cherokee Road; thence southwesterly along the northerly line of Cherokee Road to its intersection with the southerly line of Harding Way; thence westerly along the southerly line of Harding Way to the City Limits line on the eastern side of Wilson Way; thence in a general southerly direction following the City Limits line to its intersection with the center line of the Southern Pacific Railroad Company's main line; thence southerly along said main line to its intersection with the center line of McKinley Avenue; thence northerly along the center line of McKinley Avenue to its intersection with the center line of Clayton Avenue; thence westerly along the center line of Clayton Avenue and said center line produced westerly to its intersection with the center line of French Camp Slough; thence westerly downstream along the center line of French Camp Slough to its junction with the San Joaquin River; thence downstream along the center line of the San Joaquin River to its junction with Burns Cut-off; thence along the center line of Burns Cut-off along the southerly and westerly sides of Rough and Ready Island to the junction of Burns Cut-off and the Stockton Deepwater Channel; thence crossing said channel to its junction with the Calaveras River; thence upstream along the center line of the Calaveras

River [Stockton Diverting Canal] about five and three-quarters (5¾) miles to the point of beginning, shall constitute the Eleventh Assembly District

12 All that portion of the County of San Joaquin not included in the Thirteenth Assembly District, as fixed and defined by this section, shall constitute the Twelfth Assembly District."

Amendment No. 2

On page 2, line 38, of said bill, strike out "13", and insert "14".

Amendment No. 3

On page 3, line 25, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 4

On page 3, line 26, of said bill, strike out "14", and insert "15".

Amendment No. 5

On page 4, line 14, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 6

On page 4, line 15, of said bill, strike out "15", and insert "16".

Amendment No. 7

On page 5, line 10, of said bill, strike out "Fifteenth", and insert "Sixteenth".

Amendment No. 8

On page 5, line 11, of said bill, strike out "16", and insert "17".

Amendment No. 9

On page 6, line 7, of said bill, strike out "Sixteenth", and insert "Seventeenth"

Amendment No. 10

On page 6, line 9, of said bill, strike out "17", and insert "18"

Amendment No. 11

On page 6, line 41, of said bill, strike out "Seventeenth", and insert "Eighteenth".

Amendment No. 12

On page 6, line 43, of said bill, strike out "18", and insert "19"

Amendment No. 13

On page 7, line 12, of said bill, strike out "Eighteenth", and insert "Nineteenth".

Amendment No. 14

On page 7, line 13, of said bill, strike out "19", and insert "20"

Amendment No. 15

On page 7, line 31, of said bill, strike out "Nineteenth", and insert "Twentieth".

Amendment No. 16

On page 7, line 32, of said bill, strike out "20", and insert "21"

Amendment No. 17

On page 7, line 49, of said bill, strike out "Twentieth", and insert "Twenty-first".

Amendment No. 18

On page 8, line 1, of said bill, strike out "21", and insert "22".

Amendment No. 19

On page 8, line 13, of said bill, strike out "Twenty-first", and insert "Twenty-second".

Amendment No. 20

On page 8, line 15, of said bill, strike out "22", and insert "23".

Amendment No. 21

On page 8, lines 32 and 33, of said bill, strike out "Twenty-second", and insert "Twenty-third".

Amendment No. 22

On page 8, line 34, of said bill, strike out "23", and insert "24"

Amendments read.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of permitting Mr. McFall to explain his amendments, instead of requiring they be read in full at this time.

Mr. Evans seconded the motion.

Substitute Motion to Table Amendments

Mr. Collier moved that the amendments offered by Mr. McFall to Assembly Bill No. 41 be tabled.

Motion died for lack of a second.

Further Reading of Amendments

Further reading of the amendments offered by Mr. McFall ordered continued, at this time.

Further Consideration of Amendments Offered by Mr. McFall to Assembly Bill No. 41

Amendment No. 23

On page 9, line 3, of said bill, strike out "Twenty-third", and insert "Twenty-fourth".

Amendment No. 24

On page 9, line 4, of said bill, strike out "24", and insert "25".

Amendment No. 25

On page 9, lines 14 and 15, of said bill, strike out "Twenty-fourth", and insert "Twenty-fifth".

Amendment No. 26

On page 9, line 16, of said bill, strike out "25", and insert "26".

Amendment No. 27

On page 10, line 15, of said bill, strike out "Twenty-fifth", and insert "Twenty-sixth".

Amendment No. 28

On page 10, line 16, of said bill, strike out "26", and insert "27".

Amendment No. 29

On page 11, line 21, of said bill, strike out "Twenty-sixth", and insert "Twenty-seventh".

Amendment No. 30

On page 11, line 22, of said bill, strike out "27", and insert "28".

Amendment No. 31

On page 11, line 23, of said bill, strike out "Twenty-seventh", and insert "Twenty-eighth".

Amendment No. 32

On page 11, line 24, of said bill, strike out "28", and insert "29".

Amendment No. 33

On page 11, line 36, of said bill, strike out "Twenty-eighth", and insert "Twenty-ninth".

Amendment No. 34

On page 11, line 37, of said bill, strike out "29", and insert "30".

Amendment No. 35

On page 11, line 39, of said bill, strike out "Twenty-ninth", and insert "Thirtieth".

Amendment No. 36

On page 11, line 41, of said bill, strike out "30", and insert "31".

Amendment No. 37

On page 11, line 41, of said bill, strike out "Thirtieth", and insert "Thirty-first".

Amendment No. 38

On page 11, line 43, of said bill, strike out "31", and insert "32".

Amendment No. 39

On page 11, line 44, of said bill, strike out "Thirty-first", and insert "Thirty-second".

Amendment No. 40

On page 11, line 45, of said bill, strike out "32", and insert "33"

Amendment No. 41

On page 12, line 6, of said bill, strike out "Thirty-second", and insert "Thirty-third".

Amendment No. 42

On page 12 of said bill, strike out lines 7 to 52, inclusive; strike out all of page 13; and on page 14, strike out lines 1 to 10, inclusive, and insert

"34. All that portion of the County of Fresno not included in the Thirty-third Assembly District shall constitute the Thirty-fourth Assembly District.

35. The County of Montery shall constitute the Thirty-fifth Assembly District.

36. The Counties of Kings and Tulare shall constitute the Thirty-sixth Assembly District.

37. The Counties of San Luis Obispo and Santa Barbara shall constitute the Thirty-seventh Assembly District.

38. The County of Ventura shall constitute the Thirty-eighth Assembly District

39 The County of Kern shall constitute the Thirty-ninth Assembly District."

Amendments read.

Roll Call Demanded

Messrs. Parker, Condon, and McFall demanded a roll call.

The roll was called, and the amendments offered by Mr. McFall to Assembly Bill No. 41 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Davis, Dunn, Elliott, Gaffney, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Parker, and Shaw—20

NOES—Babbage, Belotti, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Porter, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—47

Notice of Motion to Reconsider McFall Amendments to Assembly Bill No. 41

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. McFall to Assembly Bill No. 41 were this day refused adoption.

Motion to Take Up Notice of Motion to Reconsider by Mr. Beck at This Time

Mr. Waters moved that the notice of motion by Mr. Beck to reconsider the vote whereby the amendments offered by Mr. McFall to Assembly Bill No. 41 were this day refused adoption be taken up, at this time.

Mr. Conrad seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Porter, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—47.

NOES—Beck, Berry, Brady, Burkhalter, Coats, George D Collins, Condon, Cooke, Davis, Dunn, Elliott, Evans, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Munnell, Parker, and Shaw—22

The question being on the reconsideration of the vote whereby the amendments offered by Mr. McFall were refused adoption

Request for Unanimous Consent That Amendments Again Be Read in Full

Mr. Beck asked for unanimous consent that the amendments be read again.

Mr. Sherwin withheld unanimous consent.

The question being on the motion to reconsider.

Demand for Previous Question

Messrs. Caldecott, Kirkwood, Kelly, Lyon, and Connolly demanded the previous question.

Roll Call Demanded

Messrs. Beck, Coats, and Lowrey demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—Beck, Brown, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Davis, Dunn, Elliott, Fleury, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, and Parker—19.

The question being on the motion to reconsider.

Request for Unanimous Consent for Permission to Read From the State Constitution

Mr. Beck asked for unanimous consent that he be permitted to read from the State Constitution, at length, in his closing remarks relative to his motion to reconsider.

Mr. Hollibaugh withheld unanimous consent.

Motion That Mr. Beck Be Permitted to Read From Constitution at Length

Mr. Dunn moved that Mr. Beck be permitted to read, at length, from the State Constitution in his closing remarks on the motion to reconsider.

Mr. Brady seconded the motion.

Roll Call Demanded

Messrs. Hagen, Davis, and Lowrey demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Thomas, and Tomlinson—61.

NOES—Caldecott, Grunsky, and Hansen—3.

Motion That Mr. Beck Be Given Additional Time

Mr. Dunn moved that Mr. Beck be given unlimited additional time for the purpose of making his closing remarks relative to his motion to reconsider the vote whereby the amendments offered by Mr. McFall to Assembly Bill No. 41 were this day refused adoption.

Mr. Lowrey seconded the motion.

Substitute Motion

Mr. Sherwin moved that Mr. Beck's closing remarks be limited to 10 minutes.

Mr. Smith seconded the motion.

Roll Call Demanded

Messrs. Condon, Hagen, and Coats demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—Crowley, Dunn, Grunsky, and Lowrey—4.

The question being on the motion to reconsider by Mr. Beck.

Roll Call Demanded

Messrs. Beck, Lowrey, and Condon demanded a roll call.

The roll was called, and reconsideration of the vote whereby the amendments by Mr. McFall to Assembly Bill No. 41 were refused adoption, was refused by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George D Collins, Condon, Cooke, Crowley, Davis, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McFall, Meyers, Moss, Munnell, Parker, Rumford, and Shaw—22

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—48

The question being on the passage of Assembly Bill No. 41.

Consideration of Further Amendments

Motion to Amend

Mr. Hahn moved the adoption of the following amendments:

Amendment No. 1

On page 46, line 34, of the printed bill, strike out "94th Street;", and insert "Century Boulevard;".

Amendment No. 2

On page 46, line 35, of the printed bill, strike out "94th Street", and insert "Century Boulevard".

Amendment No. 3

On page 46, line 38, of the printed bill, strike out "the Atchison, Topeka and Santa", and insert "West Boulevard; thence northerly along center line of West Boulevard".

Amendment No. 4

On page 46 of the printed bill, strike out lines 39 to 52, inclusive.

Amendment No. 5

On page 47 of the printed bill, strike out lines 1 to 18, inclusive.

Amendment No. 6

On page 47, line 19, of the printed bill, strike out "same in all its various courses".

Amendments read.

Demand for Previous Question

Messrs. Kirkwood, Silliman, Babbage, Connolly, and Hahn demanded the previous question.

Roll Call Demanded

Messrs. Burke, Clarke, and Geddes demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Dickey, Erwin, Evans, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Niehouse, Porter, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—41.

NOES—Beck, Brady, Brown, Burkhalter, Caldecott, Collier, George D Collins, Condon, Davis, Dills, Dolwig, Doyle, Dunn, Fleury, Gubser, Hagen, Hahn, Kilpatrick, Klocksiem, Lipscomb, McCarthy, McFall, McMillan, Moss, Parker, Rumford, Shaw, Sherwin, and Stanley—29

The question being on the adoption of the amendments offered by Mr. Hahn to Assembly Bill No. 41.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Brady, Chapel, Coats, George D. Collins, Condon, Davis, Dunn, Hagen, Hahn, Henderson, Kilpatrick, Lowrey, Luckel, McCarthy, McFall, Moss, Niehouse, and Parker—19.

NOES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Munnell, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—51

Notice of Motion to Reconsider Amendments By Mr. Hahn to Assembly Bill No. 41

Mr Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No. 41 were this day refused adoption

Motion to Take Up Mr. Beck's Notice of Motion to Reconsider at This Time

Mr. Waters moved that the notice of motion by Mr Beck to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No. 41 were this day refused adoption be taken up, at this time.

Mr. Dickey seconded the motion.

The roll was called, and the motion carried by the following vote.

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—51.

NOES—Beck, Berry, Brady, Brown, Chapel, Coats, George D Collins, Condon, Davis, Dunn, Elliott, Evans, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Parker, and Shaw—21

The question being on the motion by Mr Beck to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No 41 were refused adoption

Question of Personal Privilege

Mr. Hahn arose to a question of personal privilege.

Demand for Previous Question

Messrs Silliman, Henderson, Hagen, Kelly, and Babbage demanded the previous question

Demand for previous question sustained.

The question being on the motion by Mr. Beck to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No. 41 were refused adoption.

The roll was called, and reconsideration refused by the following vote:

AYES—Beck, Brady, Burkhalter, Chapel, Coats, George D Collins, Condon, Crowley, Davis, Dunn, Elliott, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Niehouse, Parker, and Rumford—27

NOES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

The question being on the passage of Assembly Bill No 41.

Motion to Recess

Mr. Elliott moved that the Assembly recess for luncheon, at this time.

Mr. Lowrey seconded the motion.

Roll Call Demanded

Messrs. Rosenthal, Munnell, and Lowrey demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brady, Brown, Burkhalter, Chapel, George D. Collins, Condon, Crowley, Davis, Doyle, Elliott, Evans, Gubser, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Rumford, and Shaw—27

NOES—Babbage, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—47.

The question being on the passage of Assembly Bill No. 41.

Consideration of Further Amendments

Motion to Amend

Mr. Burke moved the adoption of the following amendments:

Amendment No. 1

On page 32, line 28, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "San Marino", and insert "South Pasadena".

Amendment No. 2

On page 32, line 29, of said bill, strike out "northwesterly", and insert "westerly"

Amendment No. 3

On page 32, line 45, of said bill, strike out "easterly", and insert "southerly".

Amendment No. 4

On page 32, line 48, of said bill, strike out "Los Angeles", and insert "Alhambra"

Amendments read, and refused adoption.

The question being on the passage of Assembly Bill No. 41.

Consideration of Further Amendments
Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 30, 31, and 32, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive", and insert "the Eleventh Judicial Township".

Amendment read.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Condon is making a statement, not asking a question, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Condon to Assembly Bill No. 41.

Roll Call Demanded

Messrs. Condon, McFall, and Hagen demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Roll Call Demanded

Messrs. Beck, Lowrey, and Condon demanded a roll call.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—Clarke, Geddes, Lyon, and Silliman—4

Time, 1.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Cooke, Dills, Elliott, Evans, Fleury, Lindsay, Meyers, and Rosenthal—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Condon asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 41

Consideration of Further Amendments
Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

On page 43, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Union", and insert "Broadway".

Amendment No. 2

On page 43 of said bill, strike out lines 14 to 18, inclusive, and insert "and Ninth Street; thence southeasterly along the center".

Amendment No. 3

On page 43 of said bill, strike out lines 40 to 52, inclusive; and on page 44, strike out lines 1 and 2, inclusive, and insert "way to the center line of Santa Barbara Avenue; thence northeasterly along the center line of Broadway to the point of beginning, shall constitute the".

Amendment No. 4

On page 46 of said bill, strike out lines 1 to 15, inclusive, and insert "thence southeasterly along the center line of Eighth Street, and following the same in all its various courses to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence southeasterly along the center line of Ninth Street to the center line of Broadway; thence southwesterly along the center line of Broadway to the center line of Santa Barbara Avenue; thence southerly along the center line of Broadway to the center line of".

Amendments read, and refused adoption.

Further consideration of Assembly Bill No. 41 continued by unanimous consent.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Henderson:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Respectfully submitted.

WALLACE D. HENDERSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Henderson:

An act to amend Section 117j of the Code of Civil Procedure, relating to small claims

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McColister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3392: By Mr. Henderson—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3347 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3347 be withdrawn from the Committee on Education, for purpose of amendment, and be re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 522 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 522 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3181 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 3181 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Social Welfare.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the members of the Pals Club had desired the Members of the Assembly to be present at 1.30 p.m., today, at their luncheon meeting at the Hotel Senator for the purpose of viewing their "circus" program; and for the purpose of permitting their pictures to be taken by Miss Alice Thompson, representative of *Life Magazine*, and urged all members, now that said hour has passed, to be present at 5 p.m., if possible, for the taking of additional pictures.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR, SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 708
Assembly Bill No. 711
Assembly Bill No. 713
Assembly Bill No. 714
Assembly Bill No. 715
Assembly Bill No 717
Assembly Bill No. 719
Assembly Bill No. 722
Assembly Bill No. 726
Assembly Bill No 728
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2167
Assembly Bill No. 2168
Assembly Bill No. 2170
Assembly Bill No. 2172
Assembly Bill No. 2173
Assembly Bill No. 2174
Assembly Bill No. 2176
Assembly Bill No. 2177
Assembly Bill No. 2178
Assembly Bill No 2179
Assembly Bill No. 2180

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2150
Assembly Bill No 2151
Assembly Bill No. 2152
Assembly Bill No. 2153
Assembly Bill No. 2154
Assembly Bill No. 2155
Assembly Bill No. 2156
Assembly Bill No. 2157
Assembly Bill No. 2159
Assembly Bill No. 2160
Assembly Bill No 2161
Assembly Bill No. 2162
Assembly Bill No. 2163
Assembly Bill No. 2164

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 60
Assembly Bill No. 437
Assembly Bill No. 438
Assembly Bill No. 485
Assembly Bill No 537
Assembly Bill No. 560
Assembly Bill No. 574
Assembly Bill No. 1618
Assembly Bill No. 1619
Assembly Bill No. 1620
Assembly Bill No 3032

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT OFFERED BY MR. CONDON TO ASSEMBLY BILL NO. 41

At 2.02 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mr. Condon to Assembly Bill No. 41 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Crowley, Davis, Dunn, Elliott, Gaffney, Hagen, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, and Thomas—32.

NOES—Babbage, Belotti, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—40

The question being on the passage of Assembly Bill No. 41.

Demand for Previous Question

Messrs. Evans, Burke, Luckel, Smith, and Stanley demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 41.

Point of Order

Mr. McCarthy arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Mr. Waters Be Given 10 Minutes Additional Time for Closing Remarks

Mr. Silliman moved that Mr Waters be given 10 minutes additional time for his closing remarks on Assembly Bill No. 41.

Mr. Lowrey seconded the motion.

Motion carried.

The question being on the passage of Assembly Bill No. 41.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—54.

NOES—Beck, Burkhalter, Coats, George D Collins, Condon, Crowley, Davis, Dunn, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, McGee, Moss, Parker, Rumford, and Shaw—20

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 183	Assembly Bill No. 1012
Assembly Bill No 269	Assembly Bill No. 1814
Assembly Bill No. 484	Assembly Bill No 3373
Assembly Bill No. 735	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT

Mr. Beck announced a Democratic luncheon at the Hotel Sacramento, upon adjournment.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 183 and 735 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos 1814 and 484 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No 3373 re-referred to the Committee on Ways and Means.

Assembly Bill No 1012 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 269 re-referred to the Committee on Industrial Relations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 718
Assembly Bill No. 720
Assembly Bill No. 727

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3347

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3347, previously withdrawn from committee, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3347 (BY UNANIMOUS CONSENT)

Assembly Bill No. 3347—An act to amend Section 18004 of the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 18004.1 to,".

Amendment No. 2

On page 1, line 6, of said bill, strike out "such school district," and insert "it, and also".

Amendment No. 3

On page 1, line 7, of said bill, after the comma, insert "pedestrian tunnels,".

Amendment No. 4

On page 1, line 9, of said bill, strike out "may construct pedestrian walks and tunnels when re-".

Amendment No. 5

On page 1 of said bill, strike out lines 10 and 11.

Amendment No. 6

On page 1, line 12, of said bill, strike out "purposes mentioned in this section,".

Amendment No. 7

On page 1, lines 13 and 14, of said bill, strike out "to acquire such easements and rights of way and".

Amendment No. 8

On page 1 of said bill, between lines 19 and 20, insert

"SEC. 2. Section 18004.1 is added to said code, to read

18004.1. Any provision to the contrary notwithstanding, the governing board of any school district, other than a city school district, may construct pedestrian walks, foot bridges, and pedestrian tunnels when required for the safety of pupils attending the schools of the district, may acquire easements and rights of way for such purposes, and may appropriate money to acquire such easements and rights of way and to pay the cost and expense of the improvements, whether made by the board under contract executed by the board, or under contracts made in pursuance of any of the general laws of the State respecting street improvements, or under other contracts made in pursuance of the charter of any county or municipality."

Amendment No. 9

On page 1, line 20, of said bill, strike out "SEC. 2" and insert "SEC. 3"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 60
Senate Bill No. 93
Senate Bill No. 242
Senate Bill No. 243
Senate Bill No. 312
Senate Bill No 371
Senate Bill No. 413
Senate Bill No 453
Senate Bill No. 626
Senate Bill No 817
Senate Bill No 971
Senate Bill No. 1424
Senate Bill No. 1602

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 60—An act to add Section 3102.5 to the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 93—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment,

the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Referred to Committee on Military Affairs.

Senate Bill No. 242—An act to add Section 12108 to, and to amend Section 12501 of, the Business and Professions Code, relating to sealers and weighing or measuring instruments.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 243—An act to amend Section 20849 of the Business and Professions Code, relating to deliveries of motor vehicle fuels and lubricants.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 312—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 371—An act to amend Section 4941.2 of the Education Code, relating to elections in unified school districts.

Referred to Committee on Education.

Senate Bill No. 413—An act to add Section 18236 to the Education Code, relating to personal liability of officers and employees of school districts.

Referred to Committee on Education.

Senate Bill No. 453—An act to amend Section 4911.1 of the Education Code, relating to the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 626—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 817—An act to add Section 4793.1 to the Health and Safety Code, relating to the proceeds of the sale of bonds of a county sanitation district.

Referred to Committee on Municipal and County Government.

Senate Bill No. 971—An act to amend Section 1001 of the Business and Professions Code, relating to the Chiropractic Directory.

Referred to Committee on Public Health.

Senate Bill No. 1424—An act to add Section 13802.1 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Senate Bill No. 1602—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers.

Referred to Committee on Public Health.

MOTION TO SET SPECIAL ORDER

Mr. Waters moved that Assembly Bill No. 42 be made a special order of business for Wednesday, March 28, 1951, at 10.30 a.m.

Motion carried.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3.30 p.m —

Public Health, in Room 426.

At 4 p.m.—

Social Welfare, in Room 430.
Agriculture, in Room 432.
Elections and Reapportionment, in Room 430.

At 8 p.m.—

Fish and Game, in Room 426.
Judiciary, in Room 435.

Tomorrow, Wednesday, March 28th, at 9.30 a.m.—

Rules, in Room 320.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblymen Ray Blosser of San Francisco, Judge F. Ray Bennett of Los Angeles, and Judge Lathrop Smith of Alhambra.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Judge Joseph Sprankle of Pasadena.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Raymond Blosser, Mr. and Mrs. Herbert Hanley, Mrs. Gerry Beyer, Dorothy Wood, and Barry Beyer, of San Francisco.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to C. O. Blose, Coordinator; and Phillip Silberman, teacher; Mrs. Phillip Silberman, guest; and the

following pupils of Ashland School, San Lorenzo School District: Bob Armknecht, Rick Alecia, John Alvarez, Gail Barry, James Ballis, Dale Bitney, Bob Boga, Belva Boyd, Juda Catera, Penny Cody, Francis Diaz, John Kammerer, Tom Kammerer, Barbara King, Jim Lay, Pat Larson, Diana Luebker, Darlene Neal, Dick Peterson, Letha Raymond, Sylvia Relva, George Madix, Gail Rogers, Margy Rodriguez, Margy Schmidt, Pauline Hull, John Smith, Mel Schilling, Jerry Wright, Janet Wells, Claudia White, Arthur Van Amber, Dorothy Porter, and Deny Bauer.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jack C. Bennett of Crescent City.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Jim Kosababian of Artesia and Leonard C. Erickson of Compton.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Joseph DiGardi of Martinez.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Milton I. Griese, Senior Advisor, and the following pupils of the Emery High School of Emeryville: Wanda L. Beare, Patricia Louise McInerny, Laura Grace McKenzie, Harold Miller, Edith Marie Mitchell, Larry Maxwell, Loretta Freda Norton, Rose Marie Sposeto, Paul Charles Sucatre, Vendetta Torix, Alice Wong, Georgie Wong, Bobby June Yates, Carlos Maia, Franklin Deleno Dill, Ralph W. Dixon, Phyllis Marie Galvez, Wanda Joan Graham, Darl Edward Hoffman, Susanna Victoria Ramirez, Eleanor Diana Rossi, Dina Inez Schiavon, Edward E. Altamirano, and Charles D. Cobb.

On request of Speaker Sam L. Collins and Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Judge Anthony P. Savarese of New York.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward Gaffney and Miss May Gaffney of San Francisco and Mrs. William H. Woolsey of New York.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Judge Lathrop Smith, former Assemblyman of Alhambra.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Moisés Missrie C. of Mexico City.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to G. E. Oaks of Redding and W. A. Barr of Mt. Shasta.

On request of Messrs. Davis and Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Jess Chambers of Santa Maria.

ADJOURNMENT

At 2 58 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 28, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY

THIRTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 28, 1951

The Assembly met at 10 a.m.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—75

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Now unto the blessed and only Potentate, the King of kings, and Lord of Lords; Who only hath immortality, dwelling in the light, grant wisdom and understanding, patience and forgiveness, courage and strength for the responsibilities which lie before us. Our prayer is for those who direct the destinies of our beloved Nation and for those who serve in the Armed Forces. As we perform our daily tasks, give us grace to ask what Thou wouldst have us do. Enrich us with the spirit of wisdom that we may be saved from false choices, that in Thy light our paths may be straight, and we need never stumble.

"Lord of the world, illumine
This darkened land of Thine,
Till everything that's human
Be filled with What's divine;
Till every tongue and nation,
From sin's dominion free,
Rise in the new creation
Which springs from love and Thee"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Lowrey.

Mr Stewart, on motion of Mr. Lowrey.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Sherwin, on motion of Mr. Caldecott

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 743

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 743, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 743

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 743:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 743, "*An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return of the money so appropriated, declaring the urgency thereof, to take effect immediately,*" in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

Approval of this measure at this time is necessary because the devices mentioned may not be available much longer and should be contracted for as soon as possible if they are to be available for use during the 1951 season.

I therefore recommend consideration of Senate Bill No. 743 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Senate Bill No. 743—An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return to the State Treasury of the money so appropriated, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 3347

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 1314

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT

Mr. Lowrey announced that Mr. Crip Twomey, Director and Manager of the Pacific Coast Inter-Collegiate Boxing Tournament, will make tickets available for the convenience of Members for matches to be held on Thursday, Friday, and Saturday nights, if those desiring to attend will contact him, from now, until 5 p m. Thursday afternoon, at the Hotel Senator.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 73 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 73 be withdrawn from the Committee on Military Affairs, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT OPINIONS OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that two opinions of the Legislative Counsel, relative to unemployment insurance, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 26, 1951

Honorable Harold K. Levering
Assembly Chamber

UNEMPLOYMENT INSURANCE—No. 6246

DEAR MR. LEVERING: You have requested our opinion as to the constitutionality of Section 310 of the Unemployment Insurance Act, which section would be added to said act by Assembly Bill No. 3376.

We have examined the proposed Section 310 and have found that it is substantially identical to the Section 310 which was proposed to be added by Senate Bill No. 377 of the 1949 Regular Session.

On June 21, 1949, we rendered an opinion to you on the question of the constitutionality of Section 310 as proposed to be added by Senate Bill No. 377, in which we expressed our opinion that the section was unconstitutional. Inasmuch as the two sections are substantially identical, the conclusions reached in that opinion apply likewise as to the constitutionality of Section 310 as proposed to be added by Assembly Bill No. 3376 of this session.

A copy of the aforementioned opinion is attached to this letter.

Very truly yours

RALPH N. KLEPS
Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to
Honorable Ernest R. Geddes
pursuant to Joint Rule 34.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 21, 1949

Honorable Harold K. Levering
Assembly Chamber

UNEMPLOYMENT INSURANCE No. 7879

DEAR MR. LEVERING: Under Section 309 of the Unemployment Insurance Act an "extended liability account" is established, to be charged with all disability benefit payments made on or after January 1, 1948, in respect to uninterrupted periods of disability which commenced after the termination of employment. If, at the end of any year, there is a deficit in this account, an assessment (based on a certain ratio) is levied on employers with employees covered under a voluntary plan, and the

account is credited with an amount equal to a certain ratio of wages of employees not covered under an approved voluntary plan.

Senate Bill 377 adds Section 310 to the act to provide, in effect, that a separate account shall be kept for each insurance company insuring approved voluntary plans, crediting the account with the amount of premium tax it has paid under Section 14½ of Article XIII of the California Constitution, and charging the account with the amount of the insurer's extended liability assessment under Section 309 of the act; and to the extent that there is a credit balance in the account the assessment shall be deemed collected. In other words, insurance companies are given a credit for the amount of premium tax paid.

You have asked us to discuss the following two constitutional problems:

(1) Since the credit applies only to private insurance companies and not to self-insurers, does proposed Section 310 improperly discriminate against the latter?

(2) Does proposed Section 310 create an additional "in lieu tax exception" not presently recognized by Section 14½ of Article XIII, and, if so, can this be done without a constitutional amendment?

In answer to your first question, it is our opinion that the proposed Section 310 would be held to be unreasonably discriminatory and therefore unconstitutional. In answer to your second question, it is our opinion that the section would not create an additional "in lieu tax exception."

In considering the effect of the proposed Section 310, the fundamental question which arises is whether the extended liability assessment imposed by Section 309 of the act, and which is paid by the insurance company in the case of insured voluntary plans, is a tax upon the insurance company.

If it were decided that it is a tax upon the insurance company, then it would be prohibited by Article XIII, Section 14½ of the California Constitution, which imposes a premium tax which is to be in lieu of all other taxes with certain enumerated exceptions. If this were the case the proposed section would create an additional "in lieu tax exception," since if there is not a credit balance in the account of an insurance company it must pay the assessment. Thus, an amendment to Article XIII, Section 14½ would be necessary to make this additional "in lieu tax exception."

Again, if this assessment were considered a tax on the insurance company, there would be no unreasonable discrimination in allowing a credit to the insurance company and not to a self-insurer, since the latter does not pay the premium tax levied under Article XIII, Section 14½

It is our opinion, however, that the extended liability assessment imposed by Section 309 of the act is not a tax upon the insurance company, but in reality is an assessment of a special nature levied against employers with employees covered under an approved voluntary plan of disability insurance to help maintain a sufficient balance in an account created to protect employees who become disabled while unemployed and thus whose disability payments can be charged to no one employer

That the insurance companies pay these assessments is, in our opinion, merely an incident of the coverage extended to employers under

their policies and would normally be reflected in an adjustment of premium rates. The employer would still seem to remain the person primarily liable for payment of such assessments

Thus, under such a view of the nature of the assessment, it is not a tax upon the insurance company and therefore no problem arises in connection with Article XIII, Section 14¼.

However, once it is determined that it is not a tax upon the insurance company, any logical basis for its exemption from paying the assessment, while a self-insurer is not exempted, disappears. If the assessment is not a tax, but merely a special type of assessment levied upon all employers with a voluntary plan, or upon insurance companies if the plan is insured, to provide their share in maintaining this special account for the benefit of employees, then the fact that insurance companies pay a tax on disability insurance premiums would not provide a reasonable basis for their exemption. No provision is made for transferring any portion of premium tax proceeds to this special account, so that it could be said that the companies have already contributed their share to this account. It would appear to be just as logical to say that because a self-insurer pays a high income tax on his profits he should be exempted from contributing to this account.

It is our opinion, therefore, that the courts would hold that there is no logical or reasonable basis for the exemption, and that there is therefore an unreasonable discrimination against self-insurers, in violation of Article I, Section 11, Article I, Section 21, and that it constitutes a local or special law in violation of Article IV Section 25(10) of the California Constitution

In summary, then, it is our opinion that the extended liability assessment is not a tax upon insurance companies and therefore no problem arises under Article XIII, Section 14¼, but that the credit allowed by proposed Section 310 is discriminatory against self-insurers.

Very truly yours

FRED B. WOOD
Legislative Counsel
By RAY H. WHITAKER, Deputy

Copy to author of S B 377 pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 895 AND 896 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bills Nos. 895 and 896 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 968

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CLARKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ

Mr. McCollister asked for, and was granted, unanimous consent that standing committee reports be read, and appropriate action taken, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Military Affairs, to which was referred
Senate Bill No 93

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bill ordered to second reading

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 135
Assembly Bill No. 137
Assembly Bill No 139
Assembly Bill No 144
Assembly Bill No 146
Assembly Bill No 148
Assembly Bill No 149
Assembly Bill No 150
Assembly Bill No. 151
Assembly Bill No 152
Assembly Bill No. 153
Assembly Bill No 156
Assembly Bill No 157
Assembly Bill No. 164
Assembly Bill No. 184
Assembly Bill No 186
Assembly Bill No. 802

Has had the same under consideration, and reports the same back with the recommendation Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 855
Assembly Bill No 1756
Assembly Bill No 1982
Assembly Bill No. 2705

Has had the same under consideration, and reports the same back with the recommendation Do pass.

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:
Assembly Bill No 853

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER Your Committee on Judiciary, to which was referred:
Assembly Bill No. 1683

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 856
Assembly Bill No 2724

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 502
Assembly Bill No 586
Assembly Bill No. 2128
Assembly Bill No. 2482
Assembly Bill No. 2530

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No 2810

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1028
Assembly Bill No 2623

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 925

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No 718
Assembly Bill No 2050
Assembly Bill No. 2206
Assembly Bill No 2733
Assembly Bill No. 2734

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 443
Assembly Bill No. 2196

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 453

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 445
Assembly Bill No. 2796

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1500

Has had the same under consideration, and reports the same back with the recommendation: Do pass

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 771—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 768—An act to amend Section 6103 of the Government Code, relating to fees for official services.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1833—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2280—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3378—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 389—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or", and insert "of".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 34—An act to add Section 9612 to the Government Code, relating to the interpretation of statutes referring to military service and specified branches thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 346—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 913—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensation Insurance Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1609—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1918—An act to amend the Building and Loan Association Act by amending Section 6.01 thereof, relating to withdrawals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2388—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909).

Bill read second time, and ordered engrossed.

Assembly Bill No. 627—An act to amend Section 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 3102, 3104 and".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3102 of the Government Code is amended to read:

3102. Subject to the provisions of Section 3 of Article XX of the Constitution, all civil defense workers shall within the *five days prior to their employment or within the* first 30 days of employment take and subscribe to the oath or affirmation required by this chapter. *In the case of intermittent, temporary, emergency or successive employments, then in the discretion of the employing agency, an oath taken and subscribed as required by this chapter shall be effective for the purposes of this chapter for all successive periods of employment which commence within one calendar year from the date of such subscription.*

SEC. 2. Section 3104 of said code is amended to read:

3104. The oath or affirmation may be taken before any officer authorized to administer oaths *; provided, that the oath or affirmation of any civil defense worker of the State may be taken before his appointing power or before any person authorized in writing by his appointing power. Such authorization shall be filed with the State Personnel Board, and any person so authorized by his appointing power may administer the oath required by this chapter.*

No fee shall be charged by any person before whom the oath or affirmation is taken and subscribed.

SEC. 3. Section 3107 of the Government Code is".

Amendment No. 3

On page 1, line 17, of said bill, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 4

On page 2, line 3, of said bill, after "facilitate", insert "State and".

Amendment No. 5

On page 2, line 4, of said bill, after "requirements", insert "and the efficient functioning of State and local governments it is essential that provision be made for quickly administering the oath or affirmation required by this chapter under emergency conditions or in remote or isolated areas of the State, and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 9, line 5, of the printed bill, strike out "verified," and insert "verified by a person who is familiar with the facts alleged therein;".

Amendment No. 2

On page 9, line 32, of said bill, strike out the comma.

Amendment No. 3

On page 9, line 35, of said bill, strike out "claim, or are"; and strike out lines 36 to 46, inclusive, and insert "claim. Where only creditors exist, and there are no heirs or legatees, said claims shall be allowed only to the extent necessary to pay such claims and the reasonable costs of administration of the estate, including court costs, administrator's fees and attorney's fees. This section shall apply to all claims which are pending at the time that this section goes into effect as well as to claims arising hereafter."

Amendment No. 4

On page 10 of said bill, strike out lines 4 to 8, inclusive, and insert
"Said petition shall be verified by a person who is familiar with the facts alleged therein; and,".

Amendment No. 5

On page 10 of said bill, after line 42, insert
"The nationality of each of the heirs of the decedent.
The street address of each of the heirs of the decedent."

Amendment No. 6

On page 11, line 12, of said bill, after the period, insert "No disabilities other than those mentioned in this section shall extend the time within which such petitions may be filed."

Amendment No. 7

On page 14 of said bill, strike out lines 42 to 46, inclusive, and insert "tion."

Amendment No. 8

On page 20, line 34, of said bill, after the period, insert "No disabilities other than those mentioned in this section shall extend the time within which such petitions may be filed."

Amendment No. 9

On page 20, line 42, of said bill, strike out "739, 1027, or 1144", and insert "231, 739, 1027, 1144, or 1148".

Amendment No. 10

On page 37, line 35, of said bill, after "Code", insert a closing apostrophe.

Amendment No. 11

On page 53, line 40, of said bill, after "by", insert "the"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1831—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"SEC. 2. Section 739 of the Probate Code is amended to read:

739. When the money so deposited is not claimed within five years, *the county treasurer shall make an affidavit so showing, and* the court or judge [, upon such showing by the affidavit of the county treasurer,] must direct the same to be deposited in the State Treasury for the benefit of such claimant or his legal representative [, to be paid to him whenever, within five years after such deposit, proof to the satisfaction of the State Controller and State Treasurer is produced that he is entitled thereto. When so claimed, a transcript of the evidence and the joint order of the controller and treasurer must be filed by the treasurer as his voucher, and the amount of the claim paid to the claimant or his legal representative, on filing the proper receipt].

If for any reason such money remains unclaimed in the county treasury for 10 years after the date of deposit in the county treasury it is presumed to be abandoned property, and the county treasurer must immediately deliver such money to the State Treasurer for deposit in the State Treasury for the benefit of such claimant or his legal representative, subject to the provisions of Title 10 of Part 3 of the Code of Civil Procedure.

SEC. 3. Section 2 of this act becomes operative only if a new Title 10 is added to Part 3 of the Code of Civil Procedure by enactment of the Legislature at its 1951 Regular Session; and in such case, at the same time as said new Title 10 takes effect; at which time Section 1 of this act is repealed."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1832—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the comma, and insert "or other property".

Amendment No. 2

On page 1, line 12, of said bill, strike out "claim,"; and strike out lines 13 to 25, inclusive, and insert "claim. Where only creditors exist, and there are no heirs or legatees, said claims shall be allowed only to the extent necessary to pay such claims and the reasonable costs of administration of the estate, including court costs, administrator's fees and attorney's fees. This section shall apply to all claims which are pending at the time that this section goes into effect as well as to claims arising hereafter."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, after line 28, insert

"If objection is made to the petition distributing the estate to the State of California, the matter shall be continued for 30 days and notice of such objection, together with notice of time and place of the hearing of objections to the petition for distribution, shall be given forthwith to the State Controller by the person or persons objecting."

Amendment No. 2

On page 2 of the printed bill, after line 30, insert

"SEC. 2. Section 1027 of the Probate Code is amended to read:

1027. Executors or administrators, public or otherwise, must apply for distribution of an estate at the time of filing a final account. Notice of such application must be given in the manner provided in Section 1200 of the Probate Code. If the court, at the time set for the hearing of the final account, or such time thereafter to which the matter may be continued, does not distribute the entire balance of the estate remaining for distribution to known heirs, devisees or legatees entitled to succeed thereto, it must distribute to the State of California that portion of such estate not distributed to such known heirs, devisees or legatees

Whenever it appears that the estate or any portion thereof is to be distributed to the State of California because there are no known heirs or that the estate or any portion thereof is to be distributed to heirs, devisees or legatees whose whereabouts are unknown, the executor or administrator must *serve* the State Controller, personally or by mail, *with a copy of the petition for distribution, together with notice of the hearing thereon, specifying the date of such hearing, and a copy of the latest account filed with the court, at least 30 days prior to the date of such hearing. A copy of any petition amending, modifying, or in objection to said petition for distribution must be served in like manner upon the State Controller, together with notice of the hearing thereon, at least 30 days prior to the date of such hearing.*

If objection is made to the petition distributing the estate to the State of California, the matter shall be continued for 30 days and notice of such objection, together with notice of time and place of the hearing of objections to the petition for distribution, shall be given forthwith to the State Controller by the person or persons objecting.

If the court distributes the estate or any portion thereof to the State of California, and the distributing clause contains words otherwise creating a trust in favor of certain unknown or unidentified persons as a class, such distribution shall vest in the State of California both legal and equitable title to the property so distributed; saving, however, the right of claimants to appear and claim the estate or any portion thereof, as in this section provided.

Upon the rendition of a decree of distribution, any money distributed to the State of California and not held on deposit in a county treasury at the time the distribution is made by the court shall forthwith be delivered to the State Treasurer by the executor or administrator, and all other personal property so distributed shall forthwith be delivered to the State Controller for deposit in the State Treasury.

A certified copy of the decree of distribution and of any court orders amending the same must be delivered to the State Controller by the executor or administrator at the time of making any remittance in connection with an estate.

No deposit of property in an estate shall be made in the county treasury by any executor or administrator, public or otherwise, if the estate has previously been distributed to the State of California pursuant to this section, but such estate shall be transmitted forthwith to the State Treasurer or State Controller as provided in this section.

If the money or other personal property belonging to an estate has been deposited in the county treasury prior to the date of distribution to the State of California, upon the rendition of the decree of distribution, any money so distributed shall forthwith be delivered to the State Treasurer by the county treasurer, and all other personal property so distributed shall forthwith be delivered to the State Controller for deposit in the State Treasury. A certified copy of the decree of distribution and of any court orders amending the same, shall be delivered to the State Controller by the county treasurer at the time of making any remittance in connection with an estate as provided in this section

The property so distributed shall be held by the State Treasurer for a period of five years from the date of the decree making such distribution, within which time any person may claim the estate or any part thereof *in the manner provided by Title 10 of Part 3 of the Code of Civil Procedure* Rights of nonresident aliens shall be governed by the provisions of Section 1026 of this code

Any person who does not appear and claim, as herein required, shall be forever barred, and such property, or so much thereof as is not claimed, shall vest absolutely in the State

SEC. 3. Section 2 of this act becomes operative only if a new Title 10 is added to Part 3 of the Code of Civil Procedure by enactment of the Legislature at its 1951 Regular Session, and in such case at the same time as said new Title 10 takes effect; at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1835—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "such institution"

Amendment No. 2

On page 5, line 7, of said bill, strike out the first "of", and insert "if".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1852—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 14, of the printed bill, after "vehicle", strike out "is left unattended or".

Amendment No. 2

On page 2, line 23, of the printed bill, after "placed", insert "at least 24 hours prior to the removal".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2213—An act to add Section 1012 to the Public Utilities Act, relating to the location or routes of street railroads and public utility lines outside the boundaries of any city or city and county.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to add Section 50⅛ to the Public Utilities Act, and to add Section 1001.5 to the Public Utilities Code, relating".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 50⅛ is added to the Public Utilities Act, to read:

Sec. 50⅛. Upon application of a public utility, operating under or about to operate under any certificate issued under this act, to the commission for approval of the route of any street railroad or public utility line or lines proposed to be constructed outside the boundaries of any city or city and county, the commission shall have power to approve such application and fix the route of the line or lines covered by such application, and such power shall be exclusive, except that nothing herein, nor any action of the commission hereunder, shall affect nor in any way detract from the powers and jurisdiction of the authority in charge of any highway with reference to the location of facilities therein.

SEC. 2. Section 1001.5 is added to the Public Utilities Code, to read:

1001.5. Upon application of a public utility, operating under or about to operate under any certificate issued under this article, to the commission for approval of the route of any street railroad or public utility line or lines proposed to be constructed outside the boundaries of any city or city and county, the commission shall have power to approve such application and fix the route of the line or lines covered by such application, and such power shall be exclusive, except that nothing herein, nor any action of the commission hereunder, shall affect nor in any way detract from the powers and jurisdiction of the authority in charge of any highway with reference to the location of facilities therein

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 50⅛ of the Public Utility Act is repealed"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3157—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "six inches wide and not less than 12 inches long", and insert "48 square inches in size".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "thirty-six (36", and insert "twenty-four (24)".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "thirty-six (36)", and insert "twenty-four (24)".

Amendment No. 3

On page 2 of the printed bill, between lines 25 and 26, insert

"(g) Any technical professional society or a section thereof which is a nonprofit organization composed of members engaged in the practice of one of the sciences or in other work which contributes to the practice or advancement of one of the sciences, which has a bona fide membership of more than 500 members in a local area, which has a national bona fide membership of 8,000 or more members, which society has been in existence for not less than 10 years and has owned, operated or maintained for a period of not less than one year a club room or rooms as a meeting place for its membership."

Amendment No. 4

On page 2, line 22, of the printed bill, strike out "14", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 71—An act to repeal Section 114 of the Business and Professions Code, and to add Section 114 to the Business and Professions Code, relating to reinstatement of licenses by persons serving in the Armed Forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2 of the printed bill, after line 9, insert

"For the purposes in this section, time spent by a licensee in receiving treatment or hospitalization in any Veterans' Facility during which he is prevented from practicing his profession or vocation shall be excluded from said period of one year."

Amendment No. 2

On page 1, line 20, of said bill, strike out the second "t" in "affidavit".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, 643.1, relating to the change of the name of the California Defense and Security Corps to California Guard Reserve and to disability and death benefits for the state military forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 4 of the title of the printed bill, after "California", insert "National".

Amendment No. 2

On page 1, line 4, of said bill, after "California", insert "NATIONAL".

Amendment No. 3

On page 1, line 10, of said bill, after "California", insert "National".

Amendment No. 4

On page 1, line 14, of said bill, after "California", insert "National".

Amendment No. 5

On page 1, line 21, of said bill, after "California", insert "National".

Amendment No. 6

On page 2, line 27, of said bill, after "California", insert "National".

Amendment No. 7

On page 2, line 33, of said bill, after "California", insert "National".

Amendment No. 8

On page 2, line 48, of said bill, after "California", insert "National".

Amendment No. 9

On page 3, line 14, of said bill, after "California", insert "National".

Amendment No. 10

On page 3, line 24, of said bill, after "California", insert "National".

Amendment No. 11

On page 3, line 28, of said bill, after "California", insert "National".

Amendment No. 12

On page 3, line 42, of said bill, after "California", insert "National".

Amendment No. 13

On page 3, line 44, of said bill, after "California", insert "National".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, and adding to said act four new sections, to be numbered respectively Sections 5, 6, 7 and 8; all relating to shares and share accounts of federal savings and loan associations and said new Section 6, relating also to debts of such associations and said new Section 8, relating also to personal property held by said associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Assembly on March 14, 1951, strike out "four", and insert "three".

Amendment No. 2

In line 11 of the title of said bill, strike out "7 and 8;" and strike out all of lines 12 to 17, inclusive, of the title, and insert "and 7, and to amend Sections 11200, 11203, 11204 and 11205 of, and to add Sections 11208, 11209, 11210 and 11211 to the Financial Code, all relating to federal savings and loan associations."

Amendment No. 3

On page 3 of said bill, strike out lines 25 to 32, inclusive, and insert
"SEC. 4. Section 5 is added to the act cited in the title to read.".

Amendment No. 4

On page 3, line 33, of said bill, strike out "Sec. 6", and insert
"Sec. 5".

Amendment No. 5

On page 4 of said bill, strike out line 1, and insert
"SEC. 5. Section 6 is added to the act cited in the title to read:
Sec. 6. No transfer or encumbrance of shares or share".

Amendment No. 6

On page 4 of said bill, between lines 18 and 19, insert
"SEC. 6. Section 7 is added to the act cited in the title to read:".

Amendment No. 7

On page 4, line 19, of said bill, strike out "Sec. 8", and insert "Sec. 7".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 5 of said bill, after line 17, insert
"SEC. 8. Section 11200 of the Financial Code is amended to read:
11200. Shares or share accounts of a federal savings and loan association may be purchased by minors or married women, and when so purchased the shares or share accounts are held for the exclusive right and benefit of the married woman or minor, free from the control or lien of all other persons, except creditors. The receipt or acquittance of a married woman, or minor [of the age of 14 or over,] is a valid and sufficient release and discharge of the association for any payment or delivery to that person on account of their shares or share accounts.
SEC. 9. Section 11203 of the Financial Code is amended to read:
11203. Whenever a person dies holding shares or share accounts of a federal savings and loan association as trustee or other fiduciary, in trust for a named

beneficiary, and no written notice of the revocation or termination of the trust relationship has been given to the association, the repurchase value of the shares or share accounts, and dividends thereon, or other rights relating thereto, may be paid or delivered, in whole or in part, to the named beneficiary of such trust The payment or delivery to any beneficiary pursuant to this section, or a receipt or acquittance signed by such beneficiary for any payment or delivery, *whether or not such person is a minor*, is a valid and sufficient release and discharge of the association for the payment or delivery so made.

SEC. 10. Section 11204 of the Financial Code is amended to read:

11204. When shares or share accounts in a federal savings and loan association are issued in the name of two or more persons, *whether minor or adult, as joint tenants or* in form to be paid to [either] *any* of them or the survivors, the shares or share accounts are the property of those persons as joint tenants [, and the] . Such shares or share accounts, together with all dividends thereon, *shall be held for the exclusive use of such joint tenants and* may be paid to any of them, or to the *survivor or any one of the* survivors [upon] *after* the death of [any] *one or more* of them *By written instructions of all such joint tenants given to the association, they may require the signatures of more than one of such persons during their lifetimes or of more than one of the survivors after the death of any one of them on any request for withdrawal, check endorsement or receipt, in which case the association shall pay withdrawals and dividends only in accordance with such instructions, but no such instructions shall limit the right of the sole survivor or of all of the survivors to receive withdrawal payments or dividends.*

Payment *as provided in the preceding paragraph* and the receipt or acquittance of the person to whom [the] *such* payment is made is a valid and sufficient release and discharge of the association for the payment made on account of the shares or share accounts prior to the receipt by such association of a notice in writing *from any one of them* not to make payments in accordance with the terms of the shares or share accounts [,] *or of such instructions* After receipt of such notice an association may refuse, without liability, to pay withdrawals or dividends pending determination of the rights of the parties.

SEC. 11. Section 11205 of the Financial Code is amended to read:

11205 The purchase or acceptance of shares or share accounts of a federal savings and loan association in the name of two or more persons to be paid to either of them or the survivors is, in the absence of fraud or undue influence, conclusive evidence, in any action or proceeding to which either the association or the surviving share or share account holders are a party, of the intention of the share or share account holders to vest title to the shares or share accounts and payments made on account thereof and dividents [and interest] thereon in such survivors.

SEC. 12. Section 11208 is added to the Financial Code to read:

11208. Where an attachment is levied upon any shares or share accounts of federal savings and loan association or upon any debts owing by any such association, the copy of writ and notice shall be left with the manager or any other officer of such association at the office or branch thereof at which such shares or share accounts were issued or such debt incurred if such office or branch is still being maintained, and otherwise at the principal office of such association. An attachment which has not been served as provided in this section shall not be effective as to any share or share account issued by any such association or as to any debt owing by any such association if such share or account was issued or such debt incurred at an office or branch not so served.

SEC. 13. Section 11209 is added to the Financial Code to read:

11209 No attachment or execution shall be issued against such association or its property in any suit, action or proceeding arising out of the claim of any holder of shares or share accounts to withdraw before final judgment that such holder of shares or share accounts is presently entitled to payment of such withdrawal.

SEC. 14. Section 11210 is added to the Financial Code to read:

11210. A transfer or encumbrance of shares or share accounts issued by a federal savings and loan association shall not be effective as to such association until written notice of such transfer or encumbrance has been given to the office of the association at which such shares or share accounts were issued, or at which the account of such association as to such shares or share accounts is kept, or to the principal office of such association. Until such notice has been given, the association may conclusively presume that shares and share accounts have not been transferred or encumbered, and may, in the absence of such notice, make any and all payments or issue new shares or share accounts to or in the name or names of the person or persons in whose name or names its shares or share accounts are issued, whether or not such shares or share accounts are presented at the time of such payment or issuance, and the association shall have no responsibility to a transferee or lienholder with respect to any shares or share accounts, or parts thereof, so paid or reissued

SEC. 15. Section 11211 is added to the Financial Code to read:

11211. Notice to any federal savings and loan association of an adverse claim to shares or share accounts standing on its books to the credit of, or to personal property held for the account of, any person may be disregarded until and unless the adverse claimant shall (a) procure and serve upon the association at the office at which the account is carried or the property is held a restraining order, injunction or other

appropriate order against the association from a court of competent jurisdiction in an action in which the adverse claimant and all persons in whose name such account stands or for whose account such property is held are parties, or (b) execute and deliver to the association at the office at which the account is carried or the property held a bond in form and with surety acceptable to it and in an amount fixed by the association, but which amount in no event need be more than twice the value of the shares or share accounts or more than twice the market value of the property against which the adverse claim is made, indemnifying it and also all persons in whose names such account stands or for whose account such property is held, against all liability, loss, damage, costs and expenses arising out of the refusal to permit withdrawal from such account or to pay dividends thereon or to deliver such property. Unless such restraining order, injunction or other appropriate order is obtained, or such bond is given, the association, notwithstanding such notice, may honor notices of intention to withdraw and may pay withdrawals and dividends to the person or persons to whose credit the account stands or may deliver such property to or upon the order of the person for whose account such property is held, without any liability on the part of the association. If an adverse claimant delivers to the association at the office at which the account is carried or the property held his affidavit stating that of his own knowledge the person to whose credit the account stands or for whose account the property is held is a fiduciary for the adverse claimant and that such fiduciary is about to misappropriate the account or the property and stating the facts upon which the claim of a fiduciary relationship is based, the association may refuse to pay withdrawals or dividends on the account or may refuse to deliver such property until the adverse claim is finally adjudicated or released, without liability on its part and without liability for the sufficiency or truth of the facts alleged in the affidavit. The provisions of this section shall be applicable even though the name of the person appearing on the association's books to whose credit the account stands or for whose account the property is held is modified by a qualifying or descriptive term such as "agent," "trustee" or other word or phrase indicating that such person may not be the owner in his own right of the account or property.

SEC. 16. Sections 8 to 15, inclusive, of this act become operative only if Division 2 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 2, 3, and 4 of the act cited in the title, as amended by this act, and Sections 5, 6, and 7 of said act, as added by this act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 342—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, after "be", strike out the balance of said paragraph, and insert "credited by the dealer to the buyer on the next monthly payment due and if no payments are due, the same shall be refunded to the buyer."

Amendment No. 2

On page 2, line 14, of the printed bill, after "erty.", strike out "In the buyer's down payment shall be included", and insert "As soon as received by the dealer the dealer shall credit to the buyer on the next payment due."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 817—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money in the security of personal and real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", firm or corporations."

Amendment No. 2

On page 1, line 7, of said bill, strike out ", firm, or corporations."

Amendment No. 3

On page 1, line 15, of said bill, strike out "policy of."

Amendment No. 4

On page 1, line 18, of said bill, strike out "firm, corporations,".

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 4, inclusive, and insert "or its right to furnish the insurance or to renew any insurance required by the contract of sale or trust deed or other evidence of indebtedness if the borrower or purchaser shall have failed to furnish the insurance or renewal thereof within such reasonable time or form as may be specified in the sale or loan agreement.

This section shall not prevent the lender from recommending to any new borrower or prospective borrower the placing of insurance with a specified insurance company or through a specified insurance agent or broker as long as such recommendation does not violate the provisions of this section or of any other section of this code.

A violation of this section shall constitute a misdemeanor

The commissioner may make such investigations and hold such hearings as he is otherwise authorized by law to make or hold in connection with violations of this section but he shall not investigate any complaint of a violation of this section unless such complaint be made by a party to the sale or loan agreement and within three months of the execution or modification thereof

This section shall not apply to title insurance."

Amendment No. 6

On page 2 of the printed bill, strike out line 5, and insert

"A written statement signed by the person for whom the purchase is financed or to whom the money is loaned, or for whom such extension, renewal or other act is to be granted or performed, declaring that such person voluntarily chose the broker or agent through whom the policy or renewal was negotiated, and that the choice of such broker or agent was not made a condition precedent to such purchase, loan, mortgage or renewal, shall be prima facie evidence that no violation of the provisions of this section has occurred, and provided further that the borrower shall have written the name of his chosen agent or broker in his own handwriting into an authorization of agent or broker. Nothing in this act shall be construed to affect the free choice of insurance agent or broker by the borrower or purchaser at any time, and he may revoke any designation of agent or broker at any time irrespective of the provisions of any loan or purchase agreement"

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 2391—An act to amend Section 500 of the Financial Code, relating to banking

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 500", and insert "and renumber Section 118 and to amend Section 3515".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 118 of the Financial Code is amended and renumbered to read:

[118] *99.* This division is known and may be cited as the "Banking Law."

SEC. 2. Section 3515 of said code is amended to read:

3515. Whenever it shall appear to the superintendent that any corporation has violated the provisions of its articles of incorporation or any law of this State, or is conducting its business in an unsafe or unauthorized manner, or if the capital of any such corporation is impaired, or if the corporation shall refuse to submit its books, papers and concerns to the inspection of any examiner of the department or if any officer thereof shall refuse to be examined upon oath touching the concerns of [any] the corporation or if the corporation shall suspend payment of its obligations, or if from any examination or report provided for by this chapter the superintendent shall have reason to conclude that the corporation is in an unsound or unsafe condition to transact the business for which it is organized, or that it is unsafe and inexpedient for it to continue business, or if any corporation shall neglect or refuse to observe any order of the superintendent specified in Sections 661, 1912, or 1913, the superintendent may forthwith take possession of the property and business of such corporation and retain such possession until such corporation shall resume business, or its affairs be finally liquidated as provided by this code for the liquidation of banks."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed:

Assembly Bill No. 431—An act to amend Division 9, Chapter 3, Article 3, Section 18199 of the Education Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, after "a", insert "structural engineer holding a valid certificate to use the title "Structural Engineer" or by a".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 433—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, strike out lines 21 to 23, inclusive.

Amendment No. 2

On page 4 of said bill, strike out lines 34 to 36, inclusive.

Amendment No. 3

On page 4 of said bill, strike out lines 43 to 46, inclusive.

Amendment No. 4

On page 5, line 20, of said bill, after "hereunder", insert "in the branch of which he uses the title".

Amendment No. 5

On page 12 of said bill, strike out lines 31 to 33, inclusive, and insert "Fund. This fund shall be continuously appropriated to the board for expenditures in the manner prescribed by law to defray the expenses of the board in carrying out and enforcing the provisions of this chapter."

Amendment No. 6

On page 13, line 1, of said bill, after "held;", insert "for authority to use the title "structural engineer" is three dollars ($3);".

Amendment No. 7

On page 2, line 11, of said bill, strike out the comma after "engineering-in-training"; strike out "except that"; and strike out lines 12, 13, and 14, and insert "; providing that, employees of communication public utilities, and employees of contractors while engaged on work on communication equipment for such public utilities, may, but need not, register."

Amendment No. 8

On page 5, line 38, of said bill, after "registered", insert "; provided that engineering plans, specifications, reports and documents prepared by employees of communication public utilities, and by employees of contractors while engaged on work on communication equipment for communication public utilities, are not subject to the provisions of this Chapter".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, relating to paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 1 of an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisioners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909,".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 1 of the act cited in the title hereof is amended to read:

Section 1. A board of three parole commissioners for each county in this State, consisting of the sheriff and the district attorney of each said county and the chief of police (or other chief or sole peace officer) of every city which now is or hereafter may be the county seat of any such county, is hereby created for each such county, which board shall and must act at regularly called meetings at which two-thirds of the members are present as a board of parole commissioners for and in each county, and make and establish rules and regulations in writing stating the reasons therefor under which any prisoner who is now or hereafter may be imprisoned in the county jail of said county, or in the city jail of any city in any county, or in any jail as the prisoner of any city, or in any other jail in any such county, after judgment of conviction for the commission of a misdemeanor, may be allowed to go upon parole outside of any jail in which he is or may be hereafter imprisoned, but to remain, while on parole, in the legal custody and under the control of the board of parole commissioners establishing the rules and regulations for his parole, and subject, at any time to be taken back within the enclosure of any such jail The board of parole commissioners may for the purpose of considering applications for parole of prisoners from city or county jails, designate deputies of their respective offices to serve for them as temporary commissioners in the place and stead of any member or members of the board of parole commissioners when the members of said board are unable to serve. Full power to make, establish and enforce

such rules and regulations, and to retake and imprison any prisoner so upon parole, is hereby conferred upon each such board of parole commissioners; and its written order shall be a sufficient warrant for all officers named in such order to authorize them, or any of them, to return to actual custody any conditionally released or paroled prisoner. It shall be and is hereby made the duty of all chiefs of police, marshals of cities and villages, sheriffs of counties, constables, and all other police and peace officers of this State to execute any such order in like manner as ordinary criminal process. If any prisoner so paroled shall leave the county in which he was or is or hereafter may be so imprisoned without permission from the board of parole commissioners granting his parole, he shall be arrested as an escaped prisoner and held as such.

The board of parole commissioners may parole any prisoner for a term not to exceed two years upon such conditions and under such rules and regulations as may seem fit and proper for the rehabilitation of the prisoner, and should the prisoner so paroled violate any of the conditions of his parole or any of the rules and regulations governing his parole, such prisoner shall, upon order of the parole commission, be returned to the jail from which he was paroled and be confined therein for the unserved portion of his sentence."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1565—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts of animate chattels and of mining machinery, and to add Section 2980.5 to the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, following "machinery", insert "and oil drilling equipment".

Amendment No. 2

On page 2 of the printed bill, strike out lines 14 to 18, inclusive, and insert

"As used in this section the term 'mining purposes' includes oil drilling purposes.

"Sections 2959a and 2965 of the Civil Code are hereby made applicable to the instruments required to be recorded by this section in the same manner as to mortgages of personal property; provided however, that the provisions of Section 2965 of the Civil Code shall not apply to any instrument covering any materials or equipment used in, or in connection with, the drilling or production or refining of crude oil or other hydrocarbon substances."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3301—An act to add Sections 330.1 and 330.2 to the Penal Code, relating to gaming, and to gambling places.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 29, of the printed bill, strike out "after", and insert "before".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 1248—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"19539. "*In addition to the racing days which may be allowed under other sections of this chapter, the board may allow not to exceed a total of 70 days for harness racing and 70 days for quarter horse racing. Thirty-five of said 70 days for harness racing and thirty-five of said 70 days for quarter horse racing shall be allocated to licensed racing associations conducting such horse race meetings south of the sixth standard parallel south Mount Diablo Base and Meridian, and the remainder to licensed racing associations conducting such meetings north of said standard parallel. The board may, under such conditions as prescribed by it, permit a licensee under this section to program mixed races.*

An applicant for a quarter horse race license may specify more than one track or enclosure and allocate to each a specified number of racing days. The board may issue one license upon such application authorizing quarter horse races to be held at one or more of said tracks or enclosures."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 292—An act to amend Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "acquire shall not apply".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 16, inclusive, and insert "necessary due to the veterans's loss, or loss of use, of both legs. As to such veterans, the total value of real property and improvements a veteran may acquire under this article for a home is fifteen thousand dollars ($15,000)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 671—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty, and compensation and salary during absence on military or naval leave.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 5, of the printed bill, after "shall", insert ", regardless of the length of such absence,".

Amendment No. 2

On page 2, line 18, of said bill, after "retirement", insert ", and includes duty performed during the present Korean campaign which commenced on June 27, 1950".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 992—An act to amend Sections 450 and 451 of, and to add Section 452.1 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 21, 1951, commencing with "Or any group", strike out lines 5, 6, 7, and 8, and "such group" in line 9.

Amendment No. 2

On page 2, line 42, of said bill, after the last "for", insert "self insured"

Amendment No. 3

On page 2, line 43, of said bill, after the first "Voluntary plans", strike out "not underwritten by an admitted disability insurer".

Amendment No. 4

On page 2, line 14, of said bill, strike out "Does not provide for"; and strike out lines 15 and 16, and insert "is to be self insured the".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 34	Assembly Bill No. 1609
Assembly Bill No. 63	Assembly Bill No. 1833
Assembly Bill No 346	Assembly Bill No. 1918
Assembly Bill No. 389	Assembly Bill No. 2280
Assembly Bill No. 768	Assembly Bill No. 2388
Assembly Bill No. 771	Assembly Bill No. 3378
Assembly Bill No. 913	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1270

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1270, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1270

Assembly Bill No. 1270—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, after "5", insert "of Division 2".

Amendment No. 2

On page 2, line 28, of said bill, after "5", insert "of Division 2".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1274

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1274, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1274

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "a", and insert "the".

Amendment No. 2

On page 1, line 16, of said bill, after "agreement", insert "covering any claim"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 718?

Amendment No. 1

On page 1, line 13, of the printed bill, after "or", insert "any".

Amendment No. 2

On page 2, line 19, of said bill, strike out "and".

Amendment No. 3

On page 2, line 30, of said bill, strike out "proceedings", and insert "proceeding".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 718 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 718 ordered enrolled.

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 720?

Amendment No. 1

On page 1, line 5, of the printed bill, after "then", insert "in".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 720 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 720 ordered enrolled.

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 727?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Publication for Two Weeks."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 727 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 727 ordered enrolled.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1277, on motion of Mr. Caldecott.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1314 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3347 re-referred to the Committee on Education.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1702—An act to add Section 2142 to the Welfare and Institutions Code, relating to old age security, in respect to services rendered in the administration of old age security.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1091—An act to add Title 11, comprising Sections 1300 to 1331, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Waters arose to the following point of order: That 10.30 a.m. has arrived, the hour for the special order of business, and that other business, at this time, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 42 was taken up.

Assembly Bill No. 42—An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into congressional districts.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Butte,".

Amendment No. 2

On page 1, line 16, of said bill, after "of", insert "Butte,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 4

On page 1 of said bill, between lines 17 and 18, insert

"4. The County of Sacramento shall constitute the Fourth Congressional District."

Amendment No. 5

On page 1, line 18, of said bill, strike out "4.", and insert

"5."

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5.", and insert

"6."

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert

"7. The County of"

Amendment No. 11

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 12

On page 2, line 6, of said bill, strike out "7.", and insert

"8."

Amendment No. 13

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 14

On page 2, line 9, of said bill, strike out "8.", and insert

"9."

Amendment No. 15

On page 2, line 10, of said bill, strike out "Eighth", and insert "Ninth".

Amendment No. 16

On page 2, line 12, of said bill, strike out "9.", and insert "10."

Amendment No. 17

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth".

Amendment No. 18

On page 2, line 14, of said bill, strike out "10.", and insert "11."

Amendment No. 19

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 20

On page 2, line 16, of said bill, strike out "11.", and insert "12."

Amendment No. 21

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth".

Amendment No. 22

On page 2, line 18, of said bill, strike out "12.", and insert "13."

Amendment No. 23

On page 2, line 19, of said bill, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 24

On page 2, line 20, of said bill, strike out "13.", and insert "14."

Amendment No. 25

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 26

On page 2, line 23, of said bill, strike out "14.", and insert "15."

Amendment No. 27

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 28

On page 2, line 25, of said bill, strike out "15.", and insert "16."

Amendment No. 29

On page 2, line 27, of said bill, strike out "Fifteenth", and insert "Sixteenth".

Amendment No. 30

On page 2, line 28, of said bill, strike out "16.", and insert "17."

Amendment No. 31

On page 2, line 29, of said bill, after "the", insert "Fifty-seventh,".

Amendment No. 32

On page 2, line 30, of said bill, strike out "Sixteenth", and insert "Seventeenth"

Amendment No. 33

On page 2, line 31, of said bill, strike out "17.", and insert "18."

Amendment No. 34

On page 2, line 33, of said bill, strike out "Seventeenth", and insert "Eighteenth".

Amendment No. 35

On page 2, line 35, of said bill, strike out "18.", and insert "19."

Amendment No. 36

On page 2, line 37, of said bill, strike out "Eighteenth", and insert "Nineteenth".

Amendment No. 37

On page 2, line 38, of said bill, strike out "19.", and insert "20."

Amendment No. 38

On page 2, line 40, of said bill, strike out "Nineteenth", and insert "Twentieth".

Amendment No. 39

On page 2, line 41, of said bill, strike out "20.", and insert "21."

Amendment No. 40

On page 2, line 42, of said bill, strike out "and Forty-seventh", and insert ", Forty-seventh and Forty-eighth".

Amendment No. 41

On page 2, line 43, of said bill, strike out "Twentieth", and insert "Twenty-first".

Amendment No. 42

On page 2, line 44, of said bill, strike out "21.", and insert "22."

Amendment No. 43

On page 2, line 45, of said bill, strike out "Forty-eighth", and insert "Sixty-fourth".

Amendment No. 44

On page 2, line 46, of said bill, strike out "Twenty-first", and insert "Twenty-second".

Amendment No. 45

On page 2 of said bill, strike out lines 47, 48, and 49

Amendments read.

Motion That Mr. Coats Be Permitted to Address Members of Assembly From Front of Chamber

Mr. Waters moved that Mr. Coats be permitted to address the Members of the Assembly from the front of the Assembly Chamber, rather than from his seat, for the purpose of displaying maps.

Mr. Beck seconded the motion.

Motion carried.

Speaker Pro Tempore Presiding

At 10.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendments offered by Mr. Coats to Assembly Bill No. 42.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Coats is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Coats Be Granted Additional Time

Mr. Moss moved that Mr. Coats be given sufficient time to present his arguments.

Mr. Lowrey seconded the motion.

Substitute Motion

Mr. Caldecott moved, as a substitute motion, that Mr. Coats be granted an additional 10 minutes for the purpose of presenting his arguments.

Mr. Connolly seconded the substitute motion.

The roll was called, and the substitute motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Waters—56.

NOES—None.

The question being on the adoption of the amendments offered by Mr. Coats to Assembly Bill No. 42.

Request for Unanimous Consent to Speak From Front of Chamber

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to speak from the front of the Assembly Chamber, rather than from his seat.

Motion That Additional Time for Debate Be Granted Mr. Waters

Mr. Beck moved that additional time be granted Mr. Waters for the purpose of debate.

Mr. Moss seconded the motion.

Motion carried.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Waters Be Granted Additional Time for Debate

Mr. Brady moved that Mr. Waters be granted additional time for debate.

Mr. Elliott seconded the motion.

Motion lost.

Demand for Previous Question

Messrs. Conrad, Silliman, Grunsky, Kirkwood, and Morris demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—44

NOES—Beck, Brady, Brown, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Doyle, Dunn, Elliott, Fleury, Gaffney, Gubser, Hagen, Henderson, Lowrey, McFall, McMillan, Moss, Munnell, Parker, Rosenthal, and Shaw—25

The question being on the adoption of the amendments offered by Mr. Coats to Assembly Bill No. 42.

Roll Call Demanded

Messrs. Coats, Davis, and Fleury demanded a roll call.

The roll was called, and the amendments offered by Mr. Coats to Assembly Bill No. 42 refused adoption by the following vote:

AYES—Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Fleury, Gaffney, Gubser, Hagen, Henderson, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, and Rumford—29.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, McCollister, McGee, Morris, Porter, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—40.

The question being on the passage of Assembly Bill No. 42.

Further consideration of Assembly Bill No. 42 continued by unanimous consent.

RECESS

At 12.06 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RECEIPT OF COPIES OF REPORT ACKNOWLEDGED

By the Chief Clerk:

Two copies of a Report of the Director of Finance, in compliance with House Resolution No. 248, as adopted by the Assembly on June 20, 1949, were received, and ordered by the Speaker pro Tempore, filed with the Secretary of State.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 42

Assembly Bill No. 42—An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into congressional districts.

Bill read third time

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Nineteenth", and insert "Twentieth".

Amendment read.

Point of Order

Messrs. Waters and Connolly arose to the following point of order: That the amendment offered by Mr. George D. Collins to Assembly Bill No. 42 is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken

The question being on the adoption of the amendment offered by Mr. George D Collins.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Evans, Gaffney, Hagen, Henderson, Kilpatrick, Lowrey, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, and Rumford—28.

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Colher, Connolly, Conrad, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McGee, Niehouse, Porter, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—38.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 42, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Forty-third and", and after "Forty-seventh", insert "and Forty-eighth".

Amendment No. 2

On page 2, line 45, of said bill, strike out "Forty-eighth", and insert "Forty-third".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Chapel, Cloyed, George D. Collins, Crowley, Hagen, Lanterman, Lowrey, Luckel, and Niehouse—9.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—55

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 29, of the printed bill, as amended in the Assembly on March 23, 1951, after "the", insert "Fifty-seventh,".

Amendment No. 2

On page 2, line 32, of said bill, strike out "Forty-sixth,".

Amendment No. 3

On page 2, line 39, of said bill, strike out ", Forty-fifth and Fifty-first", and insert "and Forty-fifth".

Amendment No. 4

On page 2, line 42, of said bill, strike out "and Forty-seventh", and insert ", Forty-seventh, and Forty-eighth".

Amendment No. 5

On page 2, line 45, of said bill, strike out "Forty-eighth", and insert "Sixty-fourth".

Amendment No. 6

On page 2, line 48, of said bill, strike out "Fifty-seventh and Sixty-fourth", and insert "Fifty-first and Sixty-ninth".

Amendment No. 7

On page 3, line 2, of said bill, strike out "Sixty-ninth", and insert "Sixty-second"

Amendment No. 8

On page 3, line 13, of said bill, strike out "Sixty-first, Sixty-second", and insert "Forty-sixth, Sixty-first,".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, Luckel, McCarthy, McFall, Moss, Munnell, Niehouse, Parker, Rosenthal, and Shaw—23.

NOES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—45.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 19 and 20, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Nineteenth, Twenty-first and Twenty-second", and insert "Twentieth, Twenty-third, and Twenty-fourth".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Berry, Coats, George D. Collins, Condon, Davis, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Parker, and Rumford—15.

NOES—Babbage, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Porter, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—44

Consideration of Further Amendments

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Butte,".

Amendment No. 2

On page 1, line 16, of said bill, after "of", insert "Butte,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 4

On page 1 of said bill, between lines 17 and 18, insert

"4. The County of Sacramento shall constitute the Fourth Congressional District."

Amendment No. 5

On page 1, line 18, of said bill, strike out "4", and insert "5".

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert "6".

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert

"7. The County of".

Amendment No. 11

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 12

On page 2, line 6, of said bill, strike out "7", and insert

"8".

Amendment No. 13

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 14

On page 2, line 9, of said bill, strike out "8", and insert "9".

Amendment No. 15

On page 2, line 10, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 16

On page 2, line 10, of said bill, strike out "Eighth", and insert "Ninth".

Amendment No. 17

On page 2, line 12, of said bill, strike out "9" and insert "10".

Amendment No. 18

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth".

Amendment No. 19

On page 2, line 14, of said bill, strike out "10", and insert "11".

Amendment No. 20

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 21

On page 2, line 16, of said bill, strike out "11", and insert "12".

Amendment No. 22

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth".

Amendment No. 23

On page 2, line 18, of said bill, strike out "12", and insert "13".

Amendment No. 24

On page 2, line 19, of said bill, strike out "Twelth", and insert "Thirteenth".

Amendment No. 25

On page 2, line 20, of said bill, strike out "13", and insert "14".

Amendment No. 26

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 27

On page 2, line 23, of said bill, strike out "14", and insert "15".

Amendment No. 28

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 29

On page 2 of said bill, strike out lines 25 to 49, inclusive, and all of page 3, and insert

"16. _____ shall constitute the Sixteenth Congressional District.
17. _____ shall constitute the Seventeenth Congressional District.
18. _____ shall constitute the Eighteenth Congressional District.
19. _____ shall constitute the Nineteenth Congressional District.
20. _____ shall constitute the Twentieth Congressional District.
21. _____ shall constitute the Twenty-first Congressional District.
22. _____ shall constitute the Twenty-second Congressional District.
23. _____ shall constitute the Twenty-third Congressional District.
24. _____ shall constitute the Twenty-fourth Congressional District
25. _____ shall constitute the Twenty-fifth Congressional District.
26. _____ shall constitute the Twenty-sixth Congressional District.
27. _____ shall constitute the Twenty-seventh Congressional District.
28. _____ shall constitute the Twenty-eighth Congressional District.
29. _____ shall constitute the Twenty-ninth Congressional District.
30. _____ shall constitute the Thirtieth Congressional District."

Amendments read.

Point of Order

Mr. Geddes arose to the following point of order: That the amendments offered by Mr. Coats are not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Appeal From Decision of Chair

Mr. Coats appealed from the decision of the Chair.

Appeal Withdrawn

Mr. Coats withdrew his appeal from the decision of the Chair.

Amendments Withdrawn

Mr. Coats withdrew his amendments.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Butte,".

Amendment No. 2

On page 1, line 16, of said bill, after "of", insert "Butte,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 4

On page 1 of said bill, between lines 17 and 18, insert

"4. The County of Sacramento shall constitute the Fourth Congressional District."

Amendment No. 5

On page 1, line 18, of said bill, strike out "4", and insert

"5".

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert

"6".

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert

"7. The County of".

Amendment No. 11

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 12

On page 2, line 6, of said bill, strike out "7", and insert

"8".

Amendment No. 13

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 14

On page 2, line 9, of said bill, strike out "8", and insert "9".

Amendment No. 15

On page 2, line 10, of said bill, strike out "Seventh Congressional District shall constitute the Eighth", and insert "Eighth Congressional District shall constitute the Ninth".

Amendment No. 16

On page 2, line 12, of said bill, strike out "9", and insert "10".

Amendment No. 17

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth".

Amendment No. 18

On page 2, line 14, of said bill, strike out "10", and insert "11".

Amendment No. 19

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 20

On page 2, line 16, of said bill, strike out "11", and insert "12".

Amendment No. 21

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth".

Amendment No. 22

On page 2, line 18, of said bill, strike out "12", and insert "13".

Amendment No. 23

On page 2, line 19, of said bill, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 24

On page 2, line 20, of said bill, strike out "13", and insert "14".

Amendment No. 25

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 26

On page 2, line 23, of said bill, strike out "14", and insert "15".

Amendment No. 27

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 28

On page 2, line 25, of said bill, strike out "15", and insert "16".

Amendment No. 29

On page 2, line 27, of said bill, strike out "Fifteenth", and insert "Sixteenth"

Amendment No. 30

On page 2, line 28, of said bill, strike out "16", and insert "17".

Amendment No. 31

On page 2, line 29, of said bill, after "the", insert "Fifty-seventh,"

Amendment No. 32

On page 2, line 30, of said bill, strike out "Sixteenth", and insert "Seventeenth".

Amendment No. 33

On page 2, line 31, of said bill, strike out "17", and insert "18".

Amendment No. 34

On page 2, line 33, of said bill, strike out "Seventeenth", and insert "Eighteenth".

Amendment No. 35

On page 2, line 35, of said bill, strike out "18", and insert "19".

Amendment No. 36

On page 2, line 37, of said bill, strike out "Eighteenth", and insert "Nineteenth".

Amendment No. 37

On page 2, line 38, of said bill, strike out "19", and insert "20".

Amendment No. 38

On page 2, line 40, of said bill, strike out "Nineteenth", and insert "Twentieth".

Amendment No. 39

On page 2, line 41, of said bill, strike out "20", and insert "21".

Amendment No. 40

On page 2, line 42, of said bill, strike out "ing the Forty-third and Forty-seventh", and insert "ing the Forty-third, Forty-seventh and Forty-eighth".

Amendment No. 41

On page 2, line 43, of said bill, strike out "Twentieth", and insert "Twenty-first".

Amendment No. 42

On page 2, line 44, of said bill, strike out "21", and insert "22".

Amendment No. 43

On page 2, line 45, of said bill, after "the", strike out "Forty-first, Forty-second and Forty-eighth" and insert "Forty-second and Sixty-fourth".

Amendment No. 44

On page 2, line 46, of said bill, strike out "Twenty-first", and insert "Twenty-second".

Amendment No. 45

On page 2, of said bill, strike out lines 47, 48, and 49.

Amendment No. 46

On page 3, line 16, of said bill, after "San Bernardino", insert "and all that portion of the County of Los Angeles comprising the Forty-first Assembly District".

Amendments read.

Amendments Withdrawn

Mr. Coats withdrew his amendments.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mrs. Niehouse and Messrs. Cloyed and Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 21 to 25, inclusive, and insert

"29. The Counties of Riverside, Imperial, and the Eightieth Assembly District shall constitute the Twenty-ninth Congressional District

30 All that portion of the County of San Diego comprising the Seventy-eighth, and Seventy-ninth Assembly Districts shall constitute the Thirtieth Congressional District."

Amendment read.

Request for Unanimous Consent to Speak From Front of Chamber

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to speak from the front of the Assembly Chamber, rather than from his desk

The question being on the adoption of the amendment offered by Mrs. Niehouse and Messrs. Cloyed and Luckel.

Question of Personal Privilege

Mrs. Niehouse arose to a question of personal privilege.

Motion That Mr. Waters Be Granted Five Additional Minutes

Mr. Silliman moved that Mr. Waters be granted five additional minutes for the purpose of debate.

Mr. Kirkwood seconded the motion.

Motion carried.

The question being on the adoption of the amendment offered by Mrs Niehouse and Messrs Cloyed and Luckel

Demand for Previous Question

Messrs Conrad, Silliman, Hansen, Geddes, and Morris demanded the previous question.

Demand for previous question sustained

The question being on the adoption of the amendment offered by Mrs. Niehouse and Messrs. Cloyed and Luckel to Assembly Bill No. 42

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mrs Niehouse moved a call of the Assembly.

Motion carried. Time, 4.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Evans, Fleury, Gubser, Hawkins, Kilpatrick, Levering, McCollister, and Rosenthal—8

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hollibaugh:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 7102 of the Revenue and Taxation Code, relating to sales and use taxes and providing for the disposition of the revenue received therefrom.

Respectfully submitted.

JONATHAN J. HOLLIBAUGH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Hollibaugh:

An act to amend Section 7102 of the Revenue and Taxation Code, relating to sales and use taxes and providing for the disposition of the revenue received therefrom "

BURKE, Chairman

The roll was called, and permission granted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3393: By Mr. Hollibaugh (By Request)—An act to amend Section 7102 of the Revenue and Taxation Code, relating to sales and use taxes and providing for the disposition of the revenue received therefrom.

Referred to Committee on Revenue and Taxation.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 42

Consideration of Further Amendments

Motion to Amend

Messrs. Fleury, Moss, and Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on March 23, 1951, strike out ", Marin, Napa and Lake", and insert "and Marin".

Amendment No. 2

On page 1, line 13, of said bill, strike out "Butte,".

Amendment No. 3

On page 1 of said bill, strike out line 16, and insert
"3 The Counties of Butte, Glenn, Colusa, Sutter, Yuba, Napa, Lake and".

Amendment No. 4

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 5

On page 1, line 18, of said bill, strike out "4", and insert
"5".

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert
"6"

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert
"7. The County of".

Amendment No. 11

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert
"7. The County of".

Amendment No. 12

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 13

On page 2, line 6, of said bill, strike out "7", and insert
"8".

Amendment No. 14

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth"

Amendment No. 15

On page 2, line 9, of said bill, strike out "8", and insert
"9".

Amendment No. 16

On page 2, line 10, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 17

On page 2, line 10, of said bill, strike out "Eighth", and insert "Ninth".

Amendment No. 18

On page 2, line 12, of said bill, strike out "9", and insert
"10"

Amendment No. 19

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth"

Amendment No. 20

On page 2, line 14, of said bill, strike out "10", and insert
"11".

Amendment No. 21

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 22

On page 2, line 16, of said bill, strike out "11", and insert
"12".

Amendment No. 23

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth"

Amendment No. 24

On page 2, line 18, of said bill, strike out "12", and insert
"13".

Amendment No. 25

On page 2, line 19, of said bill, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 26

On page 2, line 20, of said bill, strike out "13", and insert
"14".

Amendment No. 27

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth"

Amendment No. 28

On page 2, line 23, of said bill, strike out "14", and insert "15".

Amendment No. 29

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth"

Amendment No. 30

On page 2 of said bill, strike out lines 25 through 49, inclusive, and all of page 3, and insert

"16. _____ shall constitute the Sixteenth Congressional District.
17. _____ shall constitute the Seventeenth Congressional District.
18. _____ shall constitute the Eighteenth Congressional District.
19. _____ shall constitute the Nineteenth Congressional District
20. _____ shall constitute the Twentieth Congressional District.
21. _____ shall constitute the Twenty-first Congressional District.
22 _____ shall constitute the Twenty-second Congressional District.
23. _____ shall constitute the Twenty-third Congressional District
24. _____ shall constitute the Twenty-fourth Congressional District.
25. _____ shall constitute the Twenty-fifth Congressional District.
26. _____ shall constitute the Twenty-sixth Congressional District.
27. _____ shall constitute the Twenty-seventh Congressional District.
28. _____ shall constitute the Twenty-eighth Congressional District.
29. _____ shall constitute the Twenty-ninth Congressional District.
30. _____ shall constitute the Thirtieth Congressional District."

Amendments read.

Amendments Withdrawn

Messrs. Fleury, Moss, and Lowrey withdrew their amendments.

Further consideration of Assembly Bill No. 42 continued by unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)

REQUEST FOR UNANIMOUS CONSENT THAT SENATE THIRD READING FILE BE TAKEN UP

Mr. Dickey asked for, and was granted, unanimous consent that matters on the Senate third reading file be taken up, out of order, at this time.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border.

Resolution read.

Motion to Amend

Mr. Conrad moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 15 and 16, of the printed measure, as amended in the Assembly on March 21, 1951, strike out "take such steps as", and insert "make a study to determine where it".

Amendment No. 2

On page 1, line 19, of said measure, after "State", insert "where sight distance is insufficient to permit driving with safety"

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Bill read third time.

(See Assembly Journal for April 10, 1951, page 2695, for action expunging record on S. B. 1218).

Senate Joint Resolution No. 11—Relative to the use of fresh food products in United States Army Camps

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Joint Resolution No. 20—Relative to the construction of the Pillar Point Breakwater Project at Half Moon Bay, California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 708—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels;

Assembly Bill No. 711—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons;

Assembly Bill No. 713—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 714—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names;

Assembly Bill No. 715—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property;

Assembly Bill No. 717—An act to amend Section 1274 5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 719—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name;

Assembly Bill No. 722—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons;

Assembly Bill No. 726—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 728—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates;

Assembly Bill No. 2150—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees;

Assembly Bill No. 2151—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2152—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners;

Assembly Bill No. 2153—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extraordinary Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections;

Assembly Bill No. 2154—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 2155—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings;

Assembly Bill No. 2156—An act to amend Section 2411 of the Labor Code, relating to public labor camps;

Assembly Bill No. 2157—An act to amend Section 2102 of the Labor Code, relating to public labor camps;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2159—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications;

Assembly Bill No. 2160—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings;

Assembly Bill No. 2161—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2162—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes;

Assembly Bill No. 2164—An act to amend Section 10115 of the Insurance Code, relating to life insurance policies;

Assembly Bill No. 2165—An act to amend Section 9060 of the Insurance Code, relating to exemptions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2166—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings;

Assembly Bill No. 2167—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues;

Assembly Bill No. 2168—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2170—An act to amend and renumber Section 9906 1 of the Government Code, relating to influencing the legislative process;

Assembly Bill No. 2172—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature;

Assembly Bill No. 2173—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2174—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds;

Assembly Bill No. 2176—An act to amend Section 4663 of the Education Code, relating to annexation of school districts,

Assembly Bill No. 2177—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property,

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters;

Assembly Bill No. 2180—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p m.

BURKE, Chairman

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 418
Assembly Bill No. 1240

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 626
Assembly Bill No. 2015
Assembly Bill No. 2675
Assembly Bill No. 2694

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1541

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 35

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 440
Assembly Bill No. 559
Assembly Bill No. 573
Assembly Bill No. 575
Assembly Bill No. 577
Assembly Bill No. 816
Assembly Bill No. 1114
Assembly Bill No. 2143
Assembly Bill No. 2144
Assembly Bill No. 2145
Assembly Bill No. 2146
Assembly Bill No. 2148

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 477
Senate Bill No. 906

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 477—An act to amend Section 1760.7 of the Welfare and Institutions Code, relating to the duties of the Director of the Youth Authority.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 906—An act to add Section 11011 to the Government Code, relating to contracts by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Speaker pro Tempore Maloney asked for unanimous consent, on behalf of Mr. Stanley, which was granted, that the following letter of transmittal, relative to the Report of the Assembly Interim Committee on State and Local Taxation (which has previously been printed as a separate document) be ordered printed in the Journal in 10-point type, and that the report be ordered filed.

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE OF CALIFORNIA
Sacramento, March 26, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: Pursuant to House Resolution No. 133 of the 1949 Regular Session of the California Legislature, the Assembly Interim Committee on State and Local Taxation herewith submits a report on its findings and recommendations.

In addition to H. R. No. 133, the following resolutions were directed to your committee for investigation, an account of which will be found under "Part One, Findings and Recommendations:" H. R. No. 24 by Assemblyman Hahn; H. R. No. 29 by Assemblyman Thomas and H. R. No. 111 by Assemblyman Levering.

Your committee also made a study of the relationship of the principal General Fund sources of revenue, an account of which will be found under "Part One, Findings and Recommendations."

In connection with the committee's inquiry, public hearings were held throughout the State. A large amount of statistical and other information was obtained as a result of these hearings.

In its study, the committee consulted various public documents and directed inquiries to public officials and private organizations which were highly productive in results and most helpful to the committee.

Several subcommittees were appointed to attend tax panels of many organizations throughout the State, including the League of California

Cities, the County Supervisors Association of California, the State Chamber of Commerce, the California Taxpayers Association, the United Taxpayers Association, the California Property Owners Association, the California Manufacturers Association, and many local chambers of commerce and taxpayers groups.

A tax evasion study and investigation was started but was not completed because of the lack of time. Material on this subject has been gathered and is in possession of the committee. Further study of this problem is recommended.

The committee also held hearings on the financial aspect of horse-racing tracks in relation to the pari-mutuel tax. This study, which was recommended by the 1949 standing Committee on Revenue and Taxation, is being completed and will be submitted separately.

As a result of requests from many organizations such as the Veterans of Foreign Wars, the Catholic Church, the Lutheran Church, the Seventh Day Adventists and the Jewish Synagogue, a subcommittee hearing was held in Los Angeles during October, 1950, on the subject of ad valorem taxes on property owned by nonprofit charitable organizations who were seeking relief from excessive taxes Pertinent legislation has been introduced on this subject.

Your committee made an analysis of the 1949-50 and 1950-51 Budgets and published it in its report entitled "A Summary of State Budget Information." This analysis was distributed to all members of the Assembly.

The committee has also brought up to date many of the tables submitted in its 1947 report and they may be found in Part Two of this issue, along with other tax information.

Respectfully submitted,

JONATHAN J. HOLLIBAUGH, Chairman
CLAYTON A. DILLS
T. J. DOYLE
JOHN W. EVANS
WM. W. HANSEN
CHARLES S. GUBSER
AUGUSTUS F. HAWKINS
CHARLES EDWARD CHAPEL
ERNEST R. GEDDES
G. DELBERT MORRIS
G. R. HAHN
MARVIN SHERWIN
ARTHUR H. CONNOLLY, JR.
VINCENT THOMAS
RALPH R. CLOYED
ROBERT I. MCCARTHY
WM. H. ROSENTHAL

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1203—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2760—An act to add Section 628.1 to the Penal Code, relating to giving aid to persons accidentally shot.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 944—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto to take effect immediately.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2676—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT BY MRS. NIEHOUSE AND MESSRS. CLOYED AND LUCKEL TO ASSEMBLY BILL NO. 42

At 4.50 p.m., on motion of Mrs. Niehouse, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mrs. Niehouse and Messrs. Cloyed and Luckel to Assembly Bill No. 42 was refused adoption by the following vote:

AYES—Beck, Berry, Brady, Chapel, Cloyed, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Hagen, Hansen, Henderson, Lowrey, Luckel, McCarthy, McFall, Meyers, Moss, Niehouse, Parker, Rumford, Silliman, Stanley, and Thomas—28

NOES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Munnell, Porter, Shaw, Smith, Tomlinson, Waters, and Mr. Speaker—44.

The question being on the passage of Assembly Bill No. 42.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49

NOES—Beck, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Crowley, Davis, Dunn, Elliott, Fleury, Hagen, Henderson, Lowrey, McCarthy, McFall, Moss, Niehouse, and Parker—20.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 104

Relating to the passing of Lawrence A. Cline

WHEREAS, Numerous persons in Los Angeles and throughout California were grieved to learn of the sudden death of Lawrence A. Cline, outstanding citizen of Los Angeles and Vice President of the United Concrete Pipe Company of Baldwin Park; and

WHEREAS, Mr. Cline distinguished himself in the service of his Country during World War II in the Aleutian Islands, South Pacific, and Okinawa as a Captain in the United States Navy Sea Bees, and has been decorated with the Legion of Merit; and

WHEREAS, Mr. Cline was a graduate engineer of the University of Illinois, a member of Allied Post 302 of the American Legion, a leader in civic affairs and has taken an active part in many public construction projects in California; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day that it do so out of respect to the memory of Lawrence A. Cline; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare suitably engrossed copies of this resolution and send them to the surviving widow, Mrs. Ella Lee Cline, son, Lawrence, Jr., and daughter, Rean.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Education, in Room 432.
Constitutional Amendments, in Room 435.
Municipal and County Government, in Room 426.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 426.

It was announced that the following committee would hold no meeting today:

Governmental Efficiency and Economy.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mildred Prince of San Francisco and Mrs. Florence Stevens of Tustin.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Louise Kuche, Mona Christiansen, and Jerry Joroslaw of San Mateo.

On request of the Alameda County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Edward J. Smith, former Assemblyman of Oakland.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marian Burnham of Shasta, Miss Merle Morison of Redding, and Bill Gunlock of Dunsmuir.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to John D. Hahn of Los Angeles.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. M. Frank Smith of San Fernando.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Louise Kutsche of Atherton and Mary S. Gilmore of Daly City.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Percy Woodcock of Eureka.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Ronald Rice and Mark Thoreson of Los Angeles.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Kirby Hansen of Fresno, and Will Martin and Mr. Mirigian of Selma.

On request of Messrs. Cooke and McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to W. R. Engeln and Cice Carbucci of the Pacific Coast League.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Patrick, teacher, and the following pupils of Napa Junior College: Kermit Beck, Patricia Bickford, Gladys Cardwell, Sally Charlesworth, Jack Christianson, Barbara Deese, Bithe Mae Dillon, Dan Douglas, Hildegard Duser, Wesley Faulk, Marvin Gordon, Barry Groves, Jack McLeod, Chas. Posciri, Leon Smith, Esther Standard, Dick Watson, Harold Wilson, Patsy Wood, Nancy Carter, Carol Slayter, Barbara Gerard, Peggy Laymon, Gunter Pudewell, Kathery Antonini, Anna Ceprissi, Nancy Conners, Jane Edwards, Gloria Hileman, Eugene Kerney, Mary Lake, Ed. Low, Joan Nelson, Letita Rasimas, Pat Rawlins, Donna Ritchey, Fred Roads, Bruna Romeri, Betty Salsman, Tom Wheeler, Allen Wong, Dave Henderson, Art Thompson, Mike Morford, Leonard Edington, Paul Merritt, Ray Glancy, Shirley Conner, Georgia Maltby, Phyllis Bauman, Nancy Wilson, Betty Wassum, and Gustav Gehlar.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Bill Lachenmeir, Sol Camp, and Bill Osborne of Shafter.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Capt. H. G. S. Wallace U. S. N., retired, of Coronado.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Mark Munnell of Los Angeles.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Philip A. Gordan and Geo N. Skoegard of Fresno.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Irene Hatcher, Mrs. Josephine Hall, teachers; Leon Butler, bus driver; and the following pupils of Atlanta School of Sacramento: Elane Bianch, Jean Ramos, Joanne Porter, Duane Seaberg, Frank Franzia, Gary Shipman, Loris Bringelson, Lauretta Snodgrass, Marilyn Vieira, John Vieira, Raymond

Vieira, Eudon Sharp, Delbert Parks, Delores Silva, Barbara Conde, Ronna Awalt, Jeanne Fisher, Gail Fisher, Victoria Franscella, John Franzia, Calvin Johnson, Edmund Vincelet, Joellen Franzia, Sandra Stevins, David Demichelis, Palmira King, Dorothy Conde, Robert Bianchi, Adrienne Parks, Leroy Dedini, John Simas, Billy Porter, Delbert Shipman, and Geraldine Shipman.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Si Nolan and Mrs. Hazel Madsen, teachers; and the following pupils of Bret Harte School of Hayward: Carole Awalt, Norma Bay, Kathleen Bowen, Frances Esteban, Afton George, Sandra Hemenez, Jerry Lou Kerr, Kay MacIver, Ramona Meyer, Marjorie Paine, Judy Rowe, Harlene Toney, Dennis Bowman, Donald Christiansen, Roger Gonsalves, Richard Hartsook, Fred Jerding, Ronald Lemos, Jerry Lopez, Jesse Olivan, Donald Rocha, Kenny Vierra, and William Stroud.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to (Mrs.) Ruth Dolson, Citizenship Instructor; and the following students of Modesto Evening Junior College: (Mrs.) Elizabeth Beane, (Mrs.) Gabrielle Bucher, (Mrs.) Janice Bucher, (Mrs.) Concepcion Jara, Jim Kashef, Mr. and Mrs Mike Kalfakis, Mr. and Mrs. John W. Lowther, Mrs Mary Marks, (Mrs.) Bluett Oppliger, Mr. A. A. Orser, Mr. and Mrs. Paul Peralta, Mr. and Mrs. Julian Presto, Mrs. Santa Presto, (Mrs.) Carolina Quartaroli, (Mrs.) Lillian Reeves, (Mrs.) Lucy Renna, (Mrs.) Mary Ribeiro, (Mrs) Iris Craft, (Mrs.) Giovanna Cudia, Miss Diana Dolson, (Mrs) Rose Geller, (Mrs.) Rose Greenberg, (Mrs) Mary Sai, Katherine Schaupp, and (Mrs.) Mary Borello.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Dos Palos High School: Florella Brisco, Dorothy Batey, Syble Batey, Margie Brady, Jack Huckabey, Leon Maxwell, Rusty Bolton, Mary Joan Boyd, Rosemary Trice, Dewey Luster, Rebecca Gonzales, Fruty Sena, Virgil Goff, Bill Shrodes, Roy McCollough, John Elms, Bobbie Hume, Mona Buie, Ann Hutson, Frances Hansen, Thelma Malm, Beverly Trantham, Carol Pearcy, Carmella Maiorino, Juanita Serpilio, T J. Childres, Wayne Jacobs, Bill Nichols, Ray Balderas, Verdell Eppler, Frank Jenkins, Bill Boswell, Mary Coito, Irene Cotta, Doralee Pimentel, Ray Guerrero, Valerie Shaeffer, Don Stone, Joann Paganucci, Norma Tuccori, Francine Survera, Jewell Johnson, Carmel Espino, Esther Barrigan, Beverly Hurd, Janice Crosby, Annalea Antoine, Roy Martinelli, Eva Copeland, Tommie Pierce, Wilma Chandler, Joyce Harper, Sue Churchill, Bud Ross, Lawrence Glandon, Ray Adams, Lawrence Clark, Genaro Herrera, Richard Silveria, Ronnie Couch, Randall Chisholm, Charles Arosteguy, Jack Smith, Carl Kreighbaum, Margaret Rich, Barbara Billups, and Arlene George

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Charles Benton and Glen Hopper of San Mateo.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Jackson and Katie Leah Windsor, teachers; Mrs. Samuels, Mrs. Drayer, Mrs. Starke, Mrs. Harmon, and Mrs Fehling, guests; and the following pupils of the Davis School: June Betschart, Wanda Brenner, Carol Gruenick, Lynona Kromann, Judith McClure, Anna Ratto, Lynn Shattuck, Iva Summers, Betty Wallace, Monetta Worford, Robert Baglietto, Santos Banda, Rodger Cady, Jerry Foster, Glen Fouquetto, Harold Gianetti, Allan Jory, Hugh Jory, Bill King, Dennis Meyer, Raymond Nord, Robert Steele, Edward Valdez, Donnie Beauchamp, Dickie Clark, Danny Chapman, Mikie Drayer, Carolyn Esley, Carol Fehling, Sue Gilmore, David Harmon, Donald Horita, Cora King, Nato Luna, Bill McClure, Jeanette McKinney, Nancy Nord, Dorothy Samuels, Jean Summers, Earl Summers, Gary Meyers, Robert Gnekow, Herbert Speckman, and Clifford Stark.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Congressman Claire Engle of Red Bluff.

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Hoit C. Vicini of Santa Monica.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Walker H. Reed of Chester.

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Congressman Jack Shelley of San Francisco.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Henry Jackson, Mrs. Bessie Airola, teachers; of the Mother Lode Union School; Mrs. Hazel Moller, Mrs. Marguerite Luly, Mrs. Miram Petithomme, and Mrs. Isabelle Raggio, of Angels Camp, Parent-Teacher Association members; and the following pupils of the Mother Lode Union School: Glenn Powell, David Alford, Shirley Zanardi, Roberta Beltramo, Wilma Moller, Jaccene O'Connor, Dean Lagomarsino, Allen Vallero, Carol Soracco, Patty Sanchez, Barbara Knooppi, Patsy Hall, Donna Day, Dianne O'Connor, Dennis Rasmussen, Lyle Mills, Lester Folsom, Allen Guidici, Leland Conrad, Ronny Cortney, Bertram Carley, David Mathat, Mary Nemic, Patsy Petithomme, Norma Anderson, Clela Schena, Bobby Marshall, Robert Martin, Bobby Murguia, John Hickman, Geraldine Popenhagen, Lorraine Howser, and Henry Petithomme

MOTION TO ADJOURN

Mr. Dickey moved that the Assembly do now adjourn until 9 a.m., Thursday, March 29th

Mr. Hinckley seconded the motion

Substitute Motion

Mr. Beck moved, as a substitute motion, that the Assembly do now adjourn until 10 a.m. Thursday, March 29th.

Mr. Meyers seconded the substitute motion.

The roll was called, and the substitute motion lost by the following vote:

AYES—Beck, Brady, Coats, Collier, George D Collins, Davis, Elliott, Geddes, Hahn, Hawkins, Henderson, Lowrey, McFall, Moss, Munnell, Parker, Porter, Shaw, Smith, and Thomas—20

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCollister, McGee, Morris, Rumford, Silliman, Waters, and Mr. Speaker—35.

Motion to Adjourn

Mr. Dickey moved that the Assembly do now adjourn until 9 a.m., Thursday, March 29th.

Mr. Hinckley seconded the motion.

Substitute Motion

Mr. Beck moved, as a substitute motion, that the Assembly do now adjourn until 9.30 a.m on Thursday, March 29th.

Mr. Meyers seconded the substitute motion.

Substitute Motion Withdrawn

Mr. Meyers withdrew his second.

Mr. Beck withdrew his substitute motion.

The question being on the motion by Mr. Dickey that the Assembly do now adjourn until 9 a.m., Thursday, March 29th.

Motion Withdrawn

Mr. Hinckley withdrew his second.

Mr. Dickey withdrew his motion.

ADJOURNMENT

At 5.01 p m, on motion of Mr Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Thursday, March 29, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

THIRTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 29, 1951

The Assembly met at 9 30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Leverring, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

We come unto Thee, Our Father, at the beginning of a new day with the words of the Psalmist:

"Bless the Lord, O my soul,
And all that is within me,
Bless His Holy Name
Who forgiveth all thine iniquities,
Who healeth all thy diseases;
Who redeemeth thy life from destruction.
Who crowneth thee with loving kindness and tender mercies;
Who satisfieth thy mouth with good things;
So that thy youth is renewed like the eagle's"

Make us truly thankful for Thy manifold mercies

We ask it in the name of Him whom we worship in spirit and in truth—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lincoln, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Stewart, on motion of Mr. Erwin.

Mr. McCarthy, on motion of Mr. Fleury.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Lindsay, on motion of Mr. Gubser.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE ADDED TO LETTER OF TRANSMITTAL

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to add the following statement to the letter of transmittal relative to the Partial Report of the Assembly Interim Committee on Crime and Corrections, which appeared in the Assembly Journal, for Monday, March 26, 1951, at page 2042:

"I subscribe to the contents of the full report of this committee with the exception of the subcommittee report on Marjorie Mae Massow (Madge Meredith) to which I definitely do not subscribe."

KATHRYN T. NIEHOUSE

APPOINTMENT TO JOINT INTERIM COMMITTEE

Pursuant to the provisions of Assembly Concurrent Resolution No. 7, Speaker Sam L. Collins announced the appointment of Mr. McGee, vice Mr. Crichton, to the Joint Interim Committee on Community Redevelopment and Housing Problems, which was created by Resolution Chapter 201 of the 1949 Statutes.

APPOINTMENTS TO ASSEMBLY INTERIM COMMITTEES

Pursuant to the provisions of House Resolution No. 28, Speaker Sam L. Collins announced the appointment of the following members to vacancies on Assembly interim committees which are authorized to act until final adjournment of this session:

Mr. Belotti, vice Mr. Fletcher, to the Assembly Interim Committee on Cemetery, Mausoleum, Crematorium, and Similar Associations.

Mr. Gubser, vice Mr. Hoffman, to the Assembly Interim Committee on Fairs and Expositions.

Mr. Munnell, vice Mr. Yorty, to the Assembly Interim Committee on Fire Hazards and Prevention.

Mr. Porter, Chairman and member, vice Mr. Anderson, to the Assembly Interim Committee on Highways, Streets, and Bridges.

Mr. Grant, vice Mr. Hoffman, and Mr. Dills, vice Mr. Yorty, to the Assembly Interim Committee on Military and Veterans Affairs.

Mr. Shaw, member, and Mr. Connolly, Chairman, vice Mr. Thompson, of the Assembly Interim Committee on Public Health.

Mr. Condon, vice Mr. Fletcher, to the Assembly Interim Committee on Public Morals

Mr. McCollister, vice Mr. Thompson, to the Assembly Interim Committee on Riding and Hiking Trails.

Mr. Lanterman, vice Mr. Thompson, to the Assembly Interim Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings.

Mr. Thomas, vice Mr Anderson, and Mr. Hawkins, vice Mr. Fletcher, to the Assembly Interim Committee on Water Pollution.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 627
Assembly Bill No. 2790

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1270
Assembly Bill No. 1274

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 36

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 36, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 36

Assembly Concurrent Resolution No. 36—Relative to approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of March, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 135—An act to amend Sections 5503, 5553, 5805, and 5809 of the Elections Code, relating to elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 139—An act to amend Section 7207 of the Elections Code, relating to elections.

Bill read second time, and ordered engrossed

Assembly Bill No. 144—An act to add Section 226.5 to the Elections Code, relating to affidavits of registration.

Bill read second time, and ordered engrossed

Assembly Bill No. 146—An act to amend Section 3924 of the Elections Code, relating to ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 148—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen.

Bill read second time, and ordered engrossed.

Assembly Bill No. 149—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 150—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 151—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 152—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 153—An act to amend Section 688 of the Elections Code, relating to oaths.

Bill read second time, and ordered engrossed.

Assembly Bill No. 156—An act to add Section 678.5 to the Elections Code, relating to precinct boards and polling places

Bill read second time, and ordered engrossed

Assembly Bill No. 157—An act to add Section 46.5 to the Elections Code, relating to circulators of petitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 164—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county.

Bill read second time, and ordered engrossed.

Assembly Bill No. 184—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations.

Bill read second time, and ordered engrossed

Assembly Bill No. 186—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings

Bill read second time, and ordered engrossed.

Assembly Bill No. 802—An act to add Sections 29 and 30 to the Education Code, relating to electors

Bill read second time, and ordered engrossed.

Assembly Bill No. 855—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1756—An act to add Section 54.1 to the Civil Code, relating to admission to schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1982—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2705—An act to amend Section 6103.5 of the Government Code, relating to filing fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2810—An act to repeal Section 12024.4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 748—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Bill read second time, and ordered engrossed

Assembly Bill No. 2050—An act to add Section 465.4 to the Vehicle Code, relating to signs at deer crossings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2206—An act to amend Section 845 of the Fish and Game Code, relating to nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2733—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2734—An act to amend Section 450.5 of the Fish and Game Code, relating to diving.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1500—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 418—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor

Bill read second time, and ordered engrossed.

Assembly Bill No. 856—An act to amend Sections 224, 224p, 226a, 226b, and 227b of the Civil Code, and to add Sections 226c, 227d, and 227e thereto, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "226a," insert "and".

Amendment No. 2

In line 1 of the title of the printed bill, after "226b", strike out ", and 227b".

Amendment No. 3

In line 2 of the title of the printed bill, after "add", strike out "Sections 226c, 227d, and 227e", and insert "Section 227d".

Amendment No. 4

On page 3 of the printed bill, strike out lines 42 to 50, inclusive.

Amendment No. 5

On page 4 of the printed bill, strike out lines 1 to 48, inclusive

Amendment No. 6

On page 5, line 1, of the printed bill, after "SEC.", strike out "8. Section 227e", and insert "5. Section 227d".

Amendment No. 7

On page 5, line 2, of the printed bill, strike out "227e", and insert "227d".

Amendment No. 8

On page 2 of the printed bill, strike out lines 14 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301.5, 3301.6, 3301.7, 3301.8, 6403.5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "If a corporate agent be designated the state"; and strike out lines 19 and 20, and insert "If a corporate agent be designated, the statement shall set forth the state or place under the laws of which such agent was incorporated and the name of the city, town or village wherein it has the office at which the corporation designating it as such agent may be served, as set forth in the certificate filed by such corporate agent pursuant to Section 3301.5, 3301.6, 6403.5 or 6403.6."

Amendment No. 2

On page 1 of said bill, strike out lines 21 and 22; and on page 2, strike out lines 1 to 5, inclusive, and insert

"In the event of any change in the location or address of its principal office or the stated address of a natural person whom it has designated as such agent or the city, town or village wherein it may be served by delivery of a copy of any process to a corporate agent, a domestic corporation shall forthwith file with the Secretary of State a statement of such new location or address or such new city, town or village, which statement shall also include the names of the then officers, the names of whom are required above to be stated."

Amendment No. 3

On page 2 of said bill, strike out lines 14 to 20, inclusive, and insert

"Delivery by hand of a copy of any process against the corporation (a) to any natural person designated by it as agent, or (b), if the corporation has designated a corporate agent, at the office of such corporate agent in the city, town or village named in the statement filed by the corporation pursuant to Section 3301 or 6403 to any person at such office named in the certificate of such corporate agent filed pursuant to Section 3301.5 or 6403.5, if such certificate has not been superseded, or otherwise to any person at such office named in the last certificate filed pursuant to Section 3301.6 or 6403.6, shall constitute valid service on the corporation."

Amendment No. 4

On page 2 of said bill, strike out lines 29 to 42, inclusive, and insert

"3301.5. Any domestic corporation, before it may be designated as the agent for the purpose of service of process of any corporation pursuant to Section 3301 or 6403, shall file with the Secretary of State a certificate executed in its name by its president or a vice president and by its secretary or an assistant secretary setting forth all of the following:

(a) The complete address of its office in each city, town or village named in any statement filed pursuant to Section 3301, 6403, 6406 or 6407 wherein it is designated as such agent, and which shall be the office where the corporation designating it as such agent may be served with process.

(b) The name of each person employed by it at each such office to whom it authorizes the delivery of a copy of any such process.

(c) Its consent that delivery thereof to any such person at the office where he is employed shall constitute delivery of any such copy to it, as such agent."

Amendment No. 5

On page 3, line 16, of said bill, after "purpose", insert "resigns, dissolves,"

Amendment No. 6

On page 4 of said bill, strike out lines 6 and 7, and insert

"6403.5. If a corporate agent be designated, the statement shall set forth the state or place under the laws of which such agent was incorporated and the name of the

city, town or village wherein it has the office at which the corporation designating it as such agent may be served, as set forth in the certificate filed by such corporate agent pursuant to Section 3301.5, 3301 6, 6403 5 or 6403.6 "

Amendment No. 7

On page 4 of said bill, strike out lines 15 to 35, inclusive, and insert

"6403.5. Before it may be designated by any corporation as its agent for service of process, any foreign corporation which, as shown by the records of the Secretary of State, is authorized to transact intrastate business in this State shall file with the Secretary of State a certificate executed in its name by its president or a vice president and by its secretary or an assistant secretary setting forth all of the following:

(a) The date of its incorporation and the State or place under the laws of which it was created and the date on which it last qualified for the transaction of intrastate business in this State.

(b) *The location and address of its main office.*

(c) The complete address of its office in each city, town or village named in any statement filed pursuant to Section 3301, 6403, 6406 or 6407 wherein it is designated as such agent, and which shall be the office where the corporation designating it as such agent may be served with process.

(d) The name of each person employed by it at each such office to whom it authorizes the delivery of a copy of any such process.

(e) Its consent that delivery thereof to any such person at the office where he is employed shall constitute delivery of any such copy to it, as such agent "

Amendment No. 8

On page 5, line 19, of said bill, after "purpose", insert "resigns, dissolves,".

Amendment No. 9

On page 5 of said bill, strike out lines 24 to 26, inclusive, and insert "to the requirements of Section 6403 and such filing shall be deemed to revoke any prior designation of agent."

Amendment No. 10

On page 5 of said bill, strike out lines 45 to 50, inclusive; and on page 6, strike out lines 1 and 2, and insert "If a foreign corporation qualified for the transaction of intrastate business pursuant to this chapter changes the location or address of its principal office in this State, or the location or address of its main office, or if the stated address of a natural person whom it has designated as agent for the service of process be changed, or in the event of a change in the city, town or village wherein it may be served by delivery of a copy of any process to a corporate agent, then such foreign corporation, or the agent on its behalf, shall forthwith file with the Secretary of State a statement of such change of location or address or such change in such city, town or village "

Amendment No. 11

On page 6 of said bill, strike out lines 14 to 20, inclusive, and insert

"Delivery by hand of a copy of any process against the corporation (a) to any natural person designated by it as agent, or (b), if the corporation has designated a corporate agent, at the office of such corporate agent in the city, town or village named in the statement filed by the corporation pursuant to Section 3301 or 6403 to any person at such office named in the certificate of such corporate agent filed pursuant to Section 3301 5 or 6403.5, if such certificate has not been superseded, or otherwise to any person at such office named in the last certificate filed pursuant to Section 3301 6 or 6403 6 shall constitute valid service on the corporation "

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 12

On page 6 of said bill, strike out lines 47 to 51, inclusive, and on page 7, strike out lines 1 to 8, inclusive, and insert

"6502 [If the corporation to be served has not filed with the Secretary of State the statement required by Section 6403, the person desiring to make such service shall deliver to the Secretary of State a statement of the address of the corporation to which notice, and a copy of the process shall be sent] Upon receipt of the process and order and his fee therefor the Secretary of State forthwith shall give notice to the corporation of the service of the process by forwarding by registered air mail, charges prepaid, with request for return receipt, a copy of the process and order [to both its principal or home main office or principal place of business and to its principal office in the State or]

to the address specified in the order if the corporation has not filed the statement required by Section 6403, otherwise to the two offices of the corporation the addresses of which are set forth in such statement or in statements subsequently filed."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1028—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out line 12, and insert "Area the Hoover Wild Area, Tunnel Meadows, or the Monachee Meadows, each within the Inyo National".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2623—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the period, and insert ", providing that no exchange or sale of property as provided for in this section shall materially reduce the total area of any range or area referred to in this section. A copy of each deed of conveyance executed and delivered by the Commission, and of each deed conveying lands to the State, pursuant to this section shall be delivered to the State Lands Commission."

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 445—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, between lines 9 and 10, insert
"The State Department of Social Welfare may take all action necessary to enforce this section."

Amendment No. 2

On page 1, of said bill, after line 17, insert
"The State Department of Social Welfare may take all action necessary to enforce this section."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed

Assembly Bill No. 2796—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "when such materials are not required for the foreseeable use of such institutions and".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2632 inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 3 of the printed bill, strike out lines 51 and 52; and on page 4, strike out lines 1 to 5, inclusive, and insert

"(g) Who has been convicted of a violation of any of the provisions of this code."

Amendment No. 2

On page 4, line 26, of the printed bill, strike out "punished by a fine"; and strike out lines 27 to 29, inclusive, and insert "guilty of a misdemeanor."

Amendment No. 3

On page 4, line 33, of the printed bill, after "surgeon", insert "without having first surrendered his certificate of registration to the board", and strike out "licensed by the board."

Amendment No. 4

On page 5, line 32, of the printed bill, strike out "one", and insert "two".

Amendment No. 5

On page 6 of the printed bill, strike out lines 12 to 20, inclusive.

Amendment No. 6

On page 4, line 4, of the printed bill, strike out "by the Board of Medical Examiners".

Amendment No. 7

On page 4, line 33, of the printed bill, insert a period after "physician and surgeon", and strike out "licensed by the board".

Amendment No. 8

On page 5, line 8, of the printed bill, strike out "by the board", and insert "under Chapter 5 of this code.".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2015—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, after "America", insert "and such a temporary permit may also be issued to an applicant who at the time of application is currently authorized to legally practice as a professional nurse under the laws of the Dominion of Canada".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2675—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualifications for admittance to examination.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, immediately following "completed", insert "a two year resident course of college grade, including the subjects of physics, chemistry, and biology, before commencing the study of medicine. An applicant graduating after January 1, 1955, shall present evidence satisfactory to the board of having completed a three year resident course of college grade, including the subjects of physics, chemistry, and biology, before commencing the study of medicine."

Amendment No. 2

On page 1 of the printed bill, strike out lines 12, 13, and 14.

Amendment No. 3

On page 3, line 4, of the printed bill, following the "period", after "board", insert "At the discretion of the board the written examination provided for in Section 2288 may be taken following completion of his medical course and the granting of a degree by the school."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2694—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 7, of the printed bill, immediately following "guilty", insert "or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense involving moral turpitude".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 853—An act to amend Section 1500 of the Welfare and Institutions Code, and to add Section 1500 5 thereto, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and insert "dren and place children in homes for adoption and who subsequently has been found by the organization to be unplaceable for adoption."

Amendment No. 2

In line 2 of the title of the printed bill, after "Code", strike out ", and to add Section 1500.5 thereto".

Amendment No. 3

On page 1 of the printed bill, strike out lines 14 to 18, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 502—An act to amend Section 531 of the Agricultural Code, relating to conveyances transporting milk or cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "conveyances," insert "except conveyances owned or operated by the proprietor of a dairy farm or his employee,".

Amendment No. 2

On page 1, line 6, of said bill, strike out "either".

Amendment No. 3

On page 1, line 7, of said bill, strike out "or otherwise afforded", and insert "in such manner as to afford".

Amendment No. 4

On page 1, line 9, of said bill, after "contamination", insert "; provided that, existing conveyances may be used without change, until July 1, 1953, but not thereafter".

Amendment No. 5

On page 1 of said bill, strike out lines 21 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 586—An act to amend Sections 274, 275, 276, and 285 3 of, and to add Section 275.5 to, the Agricultural Code, relating to apiary inspection and equipment brands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Assembly on March 19 1951, strike out "equipment", and insert "hive"

Amendment No. 2

On page 2 of said bill, strike out lines 42 to 47, inclusive, and insert

"(8) Any other facts which the certifying officer may deem pertinent to the condition and disease history of the bees during the two-year period immediately preceding the inspection.

Any shipment of bees, used hives or appliances arriving in this State which is not stamped, or which is not accompanied by a valid certificate, as required by this section, shall be refused entry and returned to the shipper or destroyed, at the option and expense of the owner or person in charge of the shipment."

Amendment No. 3

On page 3 of said bill, strike out lines 19 to 21, inclusive

Amendment No. 4

On page 4, line 6, of said bill, strike out "and", and insert "or"

Amendment No. 5

On page 4 of said bill, strike out line 9, and insert "or queens have been taken were inspected immediately prior to shipment and found free".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "colored".

Amendment No. 2

On page 1, line 5, of said bill, strike out "colored oleomargarine", and insert "contents by name".

Amendment No. 3

On page 1, line 6, of said bill, strike out "contained therein".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2482—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "Number".

Amendment No. 2

On page 1 of said bill, strike out lines 15 and 16, and insert "trict 50, Agricultural District 51, Agricultural District 54, Agricultural District 55, and Agricultural District 56."

Amendment No. 3

On page 4 of said bill, following line 10, insert

"District 55. All that portion of Los Angeles County comprising the City of Englewood.

District 56. All that portion of Los Angeles County comprising the City of Pasadena."

Amendment No. 4

On page 4, lines 5 and 6, of the printed bill, strike out "Orange county line; thence westerly and southerly", and insert "Imperial Highway; thence easterly along said Imperial Highway to the Orange County line; thence".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2530—An act to add Section 94.7 to the Agricultural Code, relating to fairs and expositions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 94.7", and insert "Sections 92.1 and 94.7".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 92.1 is added to the Agricultural Code, to read:

92.1 The Department of Finance shall apportion any money appropriated by the State for the encouragement of county, district or combined county and district fairs held or to be held during the calendar year 1951 on the basis provided under Section 92, and to the several counties and district agricultural associations which held fairs during the calendar year of 1950 but not in 1951 due to conditions caused by or resulting from the national emergency or interference by a state or other government agency, over which the county or district has no control, and which received an apportionment under the provisions of Section 92 based on the premiums paid at said fairs held in 1950 on the basis of eligible premiums paid as set forth in the sworn statements of 1950 premiums paid which were filed with the Department of Finance under Section 92 and used in apportioning the funds to the various fairs held during the calendar year 1950, subject, however, to all the other provisions of Section 92

SEC. 2. Section 94.7 is added to said code, to read:".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, after "water", insert "groins, jetties, seawalls, breakwaters, bulkheads, wharves and piers permitted by law, and debris from mining operations,".

Amendment No. 2

On page 1, line 7, of the printed bill, following "Counties," insert "*which will prevent the passing of fish up and down stream or which is deleterious to fish as determined by the commission,*".

Amendment No. 3

On page 1 of the printed bill, strike out lines 9 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 453—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "to be served"

On page 1, line 14, of said bill, after "thereof, add, "who are in need of this service."

Amendment No. 2

In line 2 of the title of said bill, before the period, insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, of said bill, after line 14, insert

"SEC. 2. Out of any money in the General Fund the sum of six thousand dollars ($6,000) is hereby appropriated for the support of the California School for the Blind, in augmentation of Item 91 of the Budget Act of 1951, to be expended during the 1951-1952 Fiscal Year to pay the salaries of visiting teachers for blind children of preschool age employed pursuant to Section 20975 of the Education Code"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 6, lines 17 and 18, of the printed bill, as amended in the Assembly on March 19, 1951, strike out "and if a corporation the names of the directors and principal officers,".

Amendment No. 2

On page 6, line 36, of said bill, strike out "Where"; strike out lines 37 to 39, inclusive; and, in line 40, strike out "of said corporation"

Amendment No. 3

On page 4, line 21, of said bill, strike out "College and uni-"; strike out lines 22 to 28, inclusive; and in line 29, strike out "grouping and typing)—3.", and insert "The board shall establish by regulation the required courses to be included in the college or university training."

Amendment No. 4

On page 3 of said bill, strike out lines 39 and 40, and insert "from any person in accordance with the authority granted under any provisions of law relating to the healing arts, or granted under the Chiropractic Act"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 93—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2672 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2672 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2678—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 273—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 960", and insert "Sections 667.1 and 960".

Amendment No. 2

In line 2 of the title of said bill, strike out "relating to the establishment and maintenance of"; and strike out line 3 of the title, and insert "and to add Section 961 to said code, all relating to the establishment and maintenance of public schools."

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 960", and insert "Section 667.1".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"667.1. The board of supervisors may, by ordinance, provide that schools established and maintained pursuant to Section 667 shall be maintained by the county superintendent of schools in which case the county superintendent of schools shall have the same powers and duties with respect to such schools as the governing board of a school district would have were said schools maintained by the school district under the provisions of this article, and the county board of supervisors shall have the same powers *and duties* with respect to such schools as though the schools were maintained by a school district under the provisions of this article.

SEC. 2. Section 960 of said code is amended to read:".

Amendment No. 5

On page 1 of said bill, beginning in line 4, strike out "or the governing board of the school district in which the juvenile home or camp is situated,".

Amendment No. 6

On page 1 of said bill, beginning in line 9, strike out "or the governing board of the school district,".

Amendment No. 7

On page 1 of said bill, beginning in line 14, strike out "or governing board of a school district".

Amendment No. 8

On page 1 of said bill, after line 16, insert

"SEC. 3. Section 961 is added to said code to read:

961. The board of supervisors, in lieu of proceeding under Section 960, may provide for the establishment of an elementary public school and of a secondary public school in connection with a juvenile home or camp, for the education of children in the juvenile home or camp. The board, by ordinance, may provide for the establishment and maintenance of school facilities in the juvenile home or camp and such schools shall be maintained by the respective governing boards of the elementary school district and of the high school district in which the juvenile home or camp is located.

Such school when established shall be maintained subject to and in accordance with all laws relating to schools maintained by a school district in a juvenile hall under Article 5 of Chapter 2 of Part 1 of this division."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 303—An act to amend Section 29747 of the Government Code, relating to records of the county auditor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly,

Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 304—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 478—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, Meyers, Moss, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—46.

NOES—Beck, George D. Collins, Condon, Davis, Doyle, Elliott, Geddes, Hawkins, Kilpatrick, Levering, Lowrey, McFall, McMillan, Munnell, Parker, Shaw, and Tomlinson—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Beck, Brady, George D. Collins, Condon, Davis, Elliott, Geddes, Hahn, Kilpatrick, Lowrey, McFall, Munnell, Parker, and Shaw—14.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Beck, Brady, George D. Collins, Condon, Davis, Elliott, Geddes, Hahn, Kilpatrick, Lowrey, McFall, Munnell, Parker, and Shaw—14.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 270

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 270, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 270

Assembly Bill No. 270—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the probation committee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1811—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2378—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—70

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 300

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 300, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 300

Assembly Bill No. 300—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the Cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 421—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.33 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1094—An act to add Section 19301.1 to the Education Code, relating to cafeterias in public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3370—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1593.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "the effect of".

Amendment No. 3

On page 2 of said bill, between lines 2 and 3, insert
"SEC. 2. Section 1593.1 is added to said code to read:
1593.1. The formation of a unified school district under Chapter 14 of this division shall be effective for the purposes set forth in Section 1593 upon the date upon which the boundaries of the component districts thereof became or become coterminous."

Amendment No. 4

On page 2, line 3, of said bill, strike out "SEC. 2.", and insert
"SEC. 3."

Amendment No. 5

On page 2 of said bill, after line 18, insert
"Furthermore, under existing law, the provisions of Education Code Section 1593 are inapplicable only to a unified school district formed under Chapter 14 of Division 2 of the Education Code and so the residents of such a district alone are precluded from exercising the privilege of increasing, through an election held pursuant to Education Code Section 6358, the maximum statutory district tax rate (prescribed by Education Code Section 6357) for such district effective for the first school year of the district's existence. The result is that a unified school district formed during the school year 1950-1951 under said chapter will be unable, if the maximum statutory district tax rate will not provide the necessary revenue, to provide during the school year 1951-1952 adequate instructional and other facilities for the education of the children residing in the district. In order to remove at the earliest possible moment, the discrimination which now exists against such unified school districts to the detriment of the welfare of the children of such districts, it is necessary that this act take effect immediately."

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 420—An act to amend Section 3454 of the Political Code and to add Section 50933 to the Water Code, relating to reclamation districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 420

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 420 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 419

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 419, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 419

Assembly Bill No. 419—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 349—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of twenty-four thousand dollars ($24,000) to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River Debris Control Fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No 1639 ordered passed on file.

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1694—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1639

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1639, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1639

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3240

Mr. Chapel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3240, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3240

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, and 10053 of the Education Code, relating to courses of study.

Bill read third time

Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on March 23, 1951, after the comma, insert "and in American history,".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

MEMBERS EXCUSED

At 11.10 a.m. Mr. Chapel asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1640

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1640, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1640

Assembly Bill No. 1640—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under The State College Revenue Act of 1947 as legal investments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ, AND APPROPRIATE ACTION TAKEN

Mr. Dickey asked for, and was granted, unanimous consent that appropriate action be taken on reports below.

Reports read, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 656
Assembly Bill No. 739

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 30

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Judiciary.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 611

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 123
Assembly Bill No 170
Assembly Bill No 291
Assembly Bill No 1123
Assembly Bill No 1691
Assembly Bill No. 1859
Assembly Bill No. 1860
Assembly Bill No. 616
Assembly Bill No. 1107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred

Assembly Bill No. 740

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Ways and Means

DUNN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3347

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 272
Assembly Bill No. 636
Assembly Bill No 638
Assembly Bill No. 742
Assembly Bill No 1080

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 271
Assembly Bill No. 637
Assembly Bill No. 639
Assembly Bill No. 640
Assembly Bill No. 641
Assembly Bill No. 642
Assembly Bill No. 1617
Assembly Bill No. 1666
Assembly Bill No. 1668
Assembly Bill No. 2507
Assembly Bill No. 2508
Assembly Bill No. 2791
Assembly Bill No. 2855
Assembly Bill No. 2856
Assembly Bill No. 2857
Assembly Bill No. 2859
Assembly Bill No. 2860

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 840
Assembly Bill No. 1719

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 39
Assembly Bill No. 1250
Assembly Bill No. 2063

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2641—An act to add Section 4.5 to the "State Aeronautics Commission Act," relating to the powers and duties of the commission with respect to civil defense.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 831 AND 1605 HOLD PLACE ON FILE

Mr. Porter asked for, and was granted, unanimous consent that Assembly Bills Nos. 831 and 1605 be passed on file, and hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2920—An act to add Section 188.1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2005

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2005, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2005

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 1—An act to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 52, of the printed bill, strike out "resubmitted", and insert "submitted".

Amendment No. 2

On page 3, line 15, of said bill, strike out the first "or"

Amendment No. 3

On page 3, line 30, of said bill, strike out "property", and insert "properly".

Amendment No. 4

On page 3, line 49, of said bill, after the period, insert "_____"

Amendment No. 5

On page 4, line 33, of said bill, strike out the quotation marks.

Amendment No. 6

On page 5, line 4, of said bill, strike out the first "except".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 838—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 839—An act to amend Section 37904 of the Government Code, relating to city public works contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1721

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1721, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1721

Assembly Bill No. 1721—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Mr. Speaker—63.

NOES—Hollibaugh—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1872

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1872, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1872

Assembly Bill No. 1872—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—69.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 965—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 753—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 754—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Bill read third time, and ordered passed on file.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Crowley be excused for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 292	Assembly Bill No. 1248
Assembly Bill No. 433	Assembly Bill No. 1565
Assembly Bill No. 671	Assembly Bill No. 3301
Assembly Bill No. 782	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 71	Assembly Bill No. 1834
Assembly Bill No. 99	Assembly Bill No. 1835
Assembly Bill No. 342	Assembly Bill No. 2213
Assembly Bill No. 817	Assembly Bill No. 2391
Assembly Bill No. 1831	Assembly Bill No. 2900
Assembly Bill No. 1832	Assembly Bill No. 3157

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1852

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1270—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Dunn, Evans, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lucke, Lyon, Maloney, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—49

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.03 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1273—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dills, Dolwig, Dunn, Evans, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Moss, Munnell, Nichouse, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Dunn, Evans, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lanterman Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Moss, Munnell, Nichouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—51

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Evans, Grant, Grunsky, Hagen, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Munnell, Nichouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—45

NOES—Kirkwood and Moss—2

Notice of Motion to Reconsider Assembly Bill No. 434

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 434 was this day passed.

Assembly Bill No. 435—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 436—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Geddes, Grunsky, Gubser, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—54

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 441—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grunsky, Gubser, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—60

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2 27 p.m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 442—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, and Mr Speaker—54.

NOES—Brady, Brown, Condon, Davis, Dills, Elliott, Hawkins, Henderson, Kirkwood, McGee, and Munnell—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 469—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read third time, and ordered passed on file.

Assembly Bill No. 60—An act to add Article 8.5, comprising Sections 31690 to 31692, inclusive, to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the members of county employees' retirement systems in respect to employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1618—An act to amend Sections 625, 640, 645, 660, and 675 5 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1619—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles

Bill read third time.

The roll was called, and the bill passed by the following vote·

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—70

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1620—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3032

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 3032, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3032

Assembly Bill No. 3032—An act to add Section 27645 to the Government Code, relating to the duties of county counsels

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—60

NOES—Hagen and Kirkwood—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 664

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 664, temporarily passed on file, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 664

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "453. Public Officers and Employees to Obey Code. (a) The"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 558

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 558, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 558

Assembly Bill No. 558—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal incomes taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 561

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 561, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 561

Assembly Bill No. 561—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 562

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 562, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 562

Assembly Bill No. 562—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 100

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 100, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 100

By Mr. Doyle:

House Resolution No. 100

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 13 combination brief cases similar to the ones heretofore ordered for the Members of the Assembly, and he is further instructed to deliver one combination brief case to each of the 13 members who were not members of the 1950 Session, and be it further

Resolved, That the Chief Clerk is authorized and instructed to order for each Member of the Assembly, upon request and approval by the Rules Committee, one combination brief case similar to the ones heretofore ordered for the Members of the Assembly, and to deliver the same to each member making the request after approval by the Rules Committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2314 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No. 2314 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Education.

ANNOUNCEMENT

Mr. Dickey announced that if there is full membership attendance tomorrow, and the session of this House is not concluded until very late in the day, it may be possible to avoid working on Saturday

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 1818

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 433 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 782 and 1565 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 3301 and 1248 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 292 and 671 re-referred to the Committee on Military Affairs.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, At 8 p.m.—

Civil Service and State Personnel, in Room 426.
Revenue and Taxation, in Room 435.

Today Upon Adjournment—

Ways and Means, in Room 435.
Transportation and Commerce, in Room 432.
Municipal and County Government, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. M. Shade, Mr. and Mrs. M. Phil Bertero, and Mrs. Randal F. Dickey of Alameda

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to A. W. Noon of Bakersfield.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. H Murray, Mrs Fred Johnson, Mrs. M. L. Olsen, Mrs. E. D. Smith, Mrs. C. O. Huffsmith, Mrs. C. S. Browne, Mrs J. G. Landon, Mrs. T. O. Leydecker, Mrs. E M. Le Baren, Mrs. W. J. Mezger, Mrs. Mae Miller, of Modesto; Mrs George Ludwig of Hughson; and Mrs. W. H. James of Crows Landing.

On request of Mr. Parker, the usual courtesies of the Assembly for this day were unanimously extended to Harry Tremain, teacher, and the following pupils of the Stockton College: James Ball, Judith Baskind, Camilla Benitez, Dorothy Boyd, Robert Buck, Mary Celsi, Don Church, Jim Collins, Pat Comaskey, Bruce Crayne, Pat Da Massa, Barbara Durkee, Isabel Espinoza, Kreutzer Gorman, Fern Gonzalo, Wesley Hing, Janet Holck, Don Holmes, Everette Holmes, Lily Hong, Peter Jacobs, Mary Lavorato, Margaret Lopez, Alicia Morales, Juanell Morris, Carolyn Scott, Meredith Surrell, Dorion Taylor, Shirley Thieman, David Toy, and Maryann Williams.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gladys K. Liljegren, George L. White, teachers, Ruth Kalfsbuk, Chester Fulton, parents; and the following pupils of the Pierce School of College City: Freddy Gash, Clarence Coon, Garry Dolbow, Jim West, Sandra Rapp, Tom Fulton, Allen Ehrke, Pat Murphy, Frances Coon, Richard Wilkins, Donald Gonzalez, Arlene Rankin, Carolyn Hardy, Colette Moore, Jim Kalfsbuk, Ralph Gonzalez, Henry Gonzalez, George Rankin, and Delbert Garrison.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Leora Keema, and Ann Kirchgater, teachers; Mrs. Amy Bartholomew, Mrs. Eleanor Strong, Mrs. Edna Stohlgren, and Mrs. Frances Walton, mothers; and the following pupils of the Elk Grove Union School: Joyce Backer, Nancy Bartholomew, Junior Brown, Carol Bunney, Jim Cavallero, Jon Colton, Eunice Cook, Beverly Coupe, Wayne Crabb, David DePew, Fred Docktor, Koichi Endow, Fred Evangelista, Dorothy Felt, Joanne Fizer, Victor Frolich, Lewis Fuglistaler, George Glavich, Jim Green, Terry Halverson, Marilyn Hensley, Earl High, Elinor Kneppel, Franklin Lagura, Orvellia Lairson, Alice Larimore, Cleda Larsen, Luella Littke, Michael Macklin, Marylyn Mauger, JoAnn Nelson, Joe Miller, Colleen Miles, Marilee Mitchell, Loretta Moody, Jessie Moore, Virgil Myers, Rose Mary Ogden, Alfred Onodera, Lynn Peters, Lowell Phillips, Goldie Pickard, Bill Reaves, Eiko Sano, Melvin Schauer, Ray Schultze, Edward Scola, Rosie Smith, Bob Spencer, Doris Stohlgren, Jane Strong, Isaias Torres, Fred Townsend, Charlotte Voos, Glenda Walton, Edwin Wanner, Carl Wrest, and Jon Yarborough.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Ronald Weaver, instructor, Ronald Notley, district administrative assistant, of the Bret Harte School of Hayward School District, and the following pupils: Billy Heal, Gerry Lamb, Jimmy Koon, Dahl Condon, Don Gouveia, Don Wilson, Don Louthan, Ken Boronda, Jack Carmo, Charles Freeman, Gordon Gabrielson, Tony Lajoie, Tom Lewis, Bob Moe, Bob Moor, Tony Ramos, George

Rapoza, Imogene Chapman, Patsy Collette, Merry Dillon, Ines Garde, Jackie Mauldin, Pat Meredith, Diane Meyer, Virginia Nordstrom, Marie Peterson, Beverly Slater, Bobbie Joyce Spillers, Robbie Loyce Spillers, Roma Stump, Carol Carson, David Schilling, James Sowden, Lionel Norton, Rose Baldassarre, and Jackie Burge.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Patrick, teacher, and the following pupils of the Napa College: Robert Linder, Barbara Lameraux, Gene Mihelich, Carol Miller, Edwin McGowan, Sue Malone, Evertt Neil, Carol Nelson, Mary Oliveres, Margaret Phillip, Joe Randol, Sharon Raahauge, Darlene Sausser, Maxine St. Clair, Clarence Spicer, Tom Schooll, Ruby Soard, Carol Lee Stubbs, Bill Stark, George Stewart, Donald Snavely, Dorothy Shuck, Ruth Thompson, Jacqueline Thompson, Marlene Trissel, Elaine Tentes, Jim Trood, Wanda Webb, Lynn Wheeler, Rebecca Yarbrough, Nancy Young, Shirley Anderson, Richard Alston, Doug Abbott, Ed Bailey, Jane Barnes, Margaret Bertain, Kenneth Berry, Joan Broughton, Covene Bowers, Dale Breit, Fred Born, Robert Burns, Fred Brown, Shirlee Boyer, Emile Carr, Christine Caddell, Diane Clerici, John Clerici, Shirley Day, Betty Dady, Bernard Desrosiers, Lyllis Dierksen, Donald Downing, Joy Fowler, Edward Chidella, Joan Harris, Carol Harvey, Regina Hauxwell, Al Ireton, Joan Ireton, Janet Jenkins, Arlene Johnson, Virginia Jensen, Georgia Langstaff, Leo Lujan, Marlene Layton, and Vincelia Lugli.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Knight Aulsbrooke of Guam.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Franklin H. Williams of San Francisco.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Marion Moorehead and Jack Crouch.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Emery Olsen of Oakland.

ADJOURNMENT

At 3.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, March 30, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

THIRTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 30, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

O God, Thou art the Protector and Helper of all Thy children Thou hast made of one blood all nations and determined the bounds of their habitations.

We pray for those who have responsibility in our Nation, our State and our community. May they lead us in the paths of peace and justice

Let this great Nation, which Thou has wonderfully blest, take its place among the peoples of the earth as one that serveth

"O, Ruler of the Universal sphere,
Help us to crush all paralyzing fear;
Give wisdom that our puny lives may know
A broadening spirit that shall build and grow
Into a workable, efficient plan
Triumphant in the government of man"

We ask it in the name and for the sake of the Savior of men, who loved us and gave Himself for us—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Stewart, on motion of Mr. Clarke.
Mr. Butters, on motion of Mr. Clarke.
Mr. Chapel, on motion of Mr. Belotti.
Mr. McCarthy, on motion of Mr. Meyers.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lyon, on motion of Mr. Clarke.
Mr. Crowley, on motion of Mr. Dickey.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Kilpatrick, on motion of Mr. Munnell.
Mr. Lindsay, on motion of Mr. Gubser.

COMMUNICATIONS

By the Chief Clerk:

A House Joint Resolution from the Legislature, State of New Mexico, relative to making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States for the purpose of restraining the present unrestrained exercise of the taxing power by the Federal Government, was received, and ordered referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 135	Assembly Bill No. 186
Assembly Bill No. 137	Assembly Bill No. 418
Assembly Bill No. 139	Assembly Bill No. 748
Assembly Bill No. 144	Assembly Bill No. 802
Assembly Bill No. 146	Assembly Bill No. 855
Assembly Bill No. 148	Assembly Bill No. 1240
Assembly Bill No. 149	Assembly Bill No. 1500
Assembly Bill No. 150	Assembly Bill No. 1756
Assembly Bill No 151	Assembly Bill No. 1982
Assembly Bill No. 152	Assembly Bill No. 2050
Assembly Bill No. 153	Assembly Bill No. 2206
Assembly Bill No. 156	Assembly Bill No. 2705
Assembly Bill No. 157	Assembly Bill No. 2733
Assembly Bill No. 164	Assembly Bill No. 2734
Assembly Bill No. 184	Assembly Bill No. 2810

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 36—Approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of March, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of March, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 347
Assembly Bill No 664
Assembly Bill No. 732

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3240
Assembly Bill No 3370

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 273

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading

MOTION THAT BILLS PASSED ON FILE BE PLACED AT FOOT OF FILE

Mr. Dickey moved that all bills passed on file be placed at the foot of the file.

Mr. Clarke seconded the motion.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 665
Assembly Bill No 1271

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 297
Assembly Bill No. 608
Assembly Bill No. 2012

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No 1285
Assembly Bill No 1612
Assembly Bill No 1855
Assembly Bill No 2317
Assembly Bill No 3099
Assembly Bill No. 1947

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LUCKEL, Chairman

Above reported bills ordered to second reading

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 134
Assembly Bill No. 1151
Assembly Bill No. 1705
Assembly Bill No 1726
Assembly Bill No. 2930

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 752

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 6
Assembly Bill No 1093

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No 20
Assembly Bill No 472
Assembly Bill No 629
Assembly Bill No. 1031

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 33
Assembly Bill No. 455
Assembly Bill No. 652
Assembly Bill No. 736
Assembly Bill No. 1058
Assembly Bill No. 2295
Assembly Bill No. 2386
Assembly Bill No. 2387
Assembly Bill No. 2389
Assembly Bill No. 2390

Has had the same under consideration, and reports the same back with the recommendation. Do pass

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER Your Committee on Ways and Means, to which was referred:

Senate Bill No. 57

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 94

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 1057

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 19
Assembly Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 70
Senate Bill No. 468
Senate Bill No. 821
Senate Bill No. 822
Senate Bill No. 868
Senate Bill No. 880
Senate Bill No. 881
Senate Bill No. 1572
Senate Bill No. 1716

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 70—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 468—An act to amend Section 1159 of the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Referred to Committee on Fish and Game.

Senate Bill No. 821—An act to amend Section 17702.5 of the Health and Safety Code, relating to health and safety in housing

Referred to Committee on Public Health

Senate Bill No. 822—An act to amend Section 20703 of the Health and Safety Code, relating to poisons.

Referred to Committee on Public Health.

Senate Bill No. 868—An act to amend Sections 860, 865, 880, and 903 and to repeal Sections 861 and 881 of the Fish and Game Code, relating to taking fish with nets.

Referred to Committee on Fish and Game.

Senate Bill No. 880—An act to amend Sections 5517 and 5518 of the Welfare and Institutions Code, relating to sexual psychopaths and providing for their return to court from state hospitals

Referred to Committee on Judiciary.

Senate Bill No. 881—An act to amend Sections 7066, 7067, and 7059 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents and providing for their parole or return to court from state institutions

Referred to Committee on Judiciary.

Senate Bill No. 1572—An act to amend Section 11611 of the Business and Professions Code, relating to subdivision maps

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1716—An act to add Section 850 to the Fish and Game Code, relating to nets

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 23
Senate Concurrent Resolution No. 37

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 23—Relative to memorializing the President and the Congress of the United States to declare Napa County, State of California, a critical defense area for the purpose of obtaining financing of constructions

Referred to Committee on Rules.

Senate Concurrent Resolution No. 37—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 123—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 170—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read second time, and ordered engrossed

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1123—An act to amend Section 5006 of the Education Code, relating to bonding school district employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1691—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1859—An act to amend Sections 5058 and 5105.1 of, and to add Section 5103.1 to, the Education Code, relating to state school building aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1860—An act to amend Section 5103 of the Education Code, relating to state school building aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 616—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation

Bill read second time, and ordered engrossed.

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Bill read second time, and ordered engrossed

Assembly Bill No. 271—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers, and deputy probation officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 637—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees

Bill read second time, and ordered engrossed.

Assembly Bill No. 639—An act to amend Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 640—An act to add Section 31784 to the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 641—An act to amend Section 31627 of, and to add Sections 31469.5, 31557 5 and 31585 5 to, the Government Code, relating to retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 642—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1617—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements

Bill read second time, and ordered engrossed.

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 1668—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2508—An act to add Section 12a to the County Water Works District Act, relating to the powers of the governing boards of county water works districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 2791—An act to amend Section 31676.7 of the Government Code, relating to retirement

Bill read second time, and ordered engrossed.

Assembly Bill No. 2855—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds

Bill read second time, and ordered engrossed

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Bill read second time, and ordered engrossed

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

Bill read second time, and ordered engrossed

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, after "664 ", insert "In all counties except counties having a population in excess of two million".

Amendment No. 2

On page 1, line 10, of said bill, after "officer.", insert "In all counties having a population in excess of two million, the superintendent, matron, and other employees of the juvenile hall shall be appointed by the board of supervisors upon the nomination of the probation committee and the approval of the judge of the juvenile court "

Amendment No. 3

On page 1, line 12, of said bill, after "665 ", insert "In all counties except counties having a population in excess of two million"

Amendment No. 4

On page 1, line 18, of said bill, after ' discretion.", insert "In all counties having a population in excess of two million the superintendent, matron or any other employee of the juvenile hall may, at any time, be removed by the probation committee in its discretion."

Amendment No. 5

On page 1, line 20, of said bill, after "666.", insert "In all counties except counties having a population in excess of two million".

Amendment No. 6

On page 1, line 23, of said bill, after "supervisors.", insert "In all counties having a population in excess of two million the superintendent of the juvenile hall shall keep a classified list of expenses, and shall file a duplicate copy with the county board of supervisors "

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government.

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, after "service," strike out "or within one month after discontinuance of county service,"

Amendment No. 2

On page 1, lines 8 and 9, of said bill, after "him", strike out "pursuant to Article 6".

Amendment No. 3

On page 1, line 13, of said bill, after "spouse", insert ", if such spouse so elects at any time prior to acceptance of any retirement or death benefits,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "June 30, 1952", and insert "December 31, 1951".

Amendment No. 2

On page 1, line 11, of said bill, strike out "June 30, 1952", and insert "December 31, 1951".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 742—An act to amend Section 31679 of the Government Code, relating to retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 31679", and insert "Sections 31679 and 31681".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve hundred dollars ($1,200)".

Amendment No. 3

On page 1 of the printed bill, strike out line 11, and insert "twelve hundred dollars ($1,200) a year.

SEC. 2 Section 31681 of the Government Code is amended to read:

31681. Each payment of a retirement allowance, after the effective date of this section, to a beneficiary who retired prior to September 20, 1947, shall be calculated according to the provisions of this chapter as they existed on September 20, 1947.

In every county having a population in excess of 2,000,000, the minimum retirement allowance for every member who has heretofore or who shall be hereafter retired at compulsory retirement age and who is credited with 15 or more years service, including prior service, shall receive a total retirement allowance of not less than twelve hundred dollars ($1,200) per year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10.5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 2, of the printed bill, after "county", insert "having a population not in excess of two million (2,000,000) and".

Amendment No. 2

On page 3, line 24, of the printed bill, strike out "31681", and insert "31682".

Amendment No. 3

On page 3, line 27, of said bill, strike out "31682", and insert "31683".

Amendment No. 4

On page 3, line 39, of said bill, strike out "31683", and insert "31683.1".

Amendment No. 5

On page 4, lines 19 and 20, of said bill, strike out "the last three years prior to establishment of the system and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 740—An act to amend Section 13032 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 13032 of the Education Code, relating to the Public School System", and insert "making an appropriation for the support of the Vocational Education Fund"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated to the Vocational Education Fund, in addition to any other money heretofore appropriated to said fund, the sum of two hundred twelve thousand five hundred thirty-one dollars ($212,531) to be expended by the State Board of Education for the support of vocational education as follows:

(a) For the development and revision of instructional materials and visual aids for classes for apprentices and journeymen, the sum of one hundred fifty-four thousand five hundred seventy-six dollars ($154,576).

(b) For an educational program for industry for personnel evaluation the sum of fifty-seven thousand nine hundred fifty-five dollars ($57,955) "

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 840—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "existing at the time of the formation of a sanitation district".

Amendment No. 2

On page 1 of said bill, strike out lines 15 to 21, inclusive, and insert

"The governing body of each city and the board of supervisors shall each select one of its members, other than its presiding officer as an alternate director to act as a member of the district board in place of the presiding officer during his absence, inability or refusal to act."

Amendment No. 3

On page 1, line 22, of said bill, after "includes", insert "unincorporated territory and".

Amendment No. 4

On page 1 of said bill, strike out lines 23 and 24, and insert "and no sanitary district, or unincorporated territory and one sanitary district and no city, then".

Amendment No. 5

On page 2, lines 3 and 4, of said bill, strike out "existing at the time of the formation of a sanitation district".

Amendment No. 6

On page 2, lines 9 and 10, of said bill, strike out "existing at the time of the formation of a sanitation district".

Amendment No. 7

On page 2 of said bill, strike out lines 12 to 43, inclusive, and insert

"If the total number of cities and sanitary districts included in the sanitation district in whole or in part is two and if the sanitation district does not include any territory not in cities or sanitary districts, then the district board includes the presiding officer and one other member of the governing body of the city or two members of the governing body of the sanitary district having the greatest population and the presiding officer of the governing body of the city or one member of the governing body of the sanitary district having the least population.

If the total number of cities and of sanitary districts wholly or in part within the sanitation district is two or more, and if, in addition, the district contains unincorporated territory, then the district board includes the presiding officer of the board of supervisors, the presiding officer of the governing board of each city, and a member of the governing board of each sanitary district.

A city within a sanitation district, the sewered portion of which city lies entirely within a sanitary district shall have no representation on the board

The term "sanitary district" as used in this section shall mean a sanitary district formed prior to the formation of the sanitation district in which it is included in whole or in part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 1719—An act to add Sections 9.1, 27.1, and 27 2 to the Vehicle Parking District Act of 1943, relating to the formation and financing of vehicle parking districts, the use for parking places of lands already owned by the city, and the redemption of bonds issued under said act

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "27.2 to", insert ", and amend Section 44 of,".

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "and to add Sections 31571, 31682, and 31683 to, and amend Sections 31530, 31776, and 31777 of, the Streets and Highways Code,".

Amendment No. 3

In line 3 of the title of said bill, after the comma, insert "the qualifications of commissioners of such districts,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 39, insert

"SEC. 4. Section 44 of said act is amended to read.

SEC. 44 Whenever a vehicle parking district is created under this act, immediately upon the acquisition of the parking places to be acquired pursuant to the petition for the formation of the district, a parking place commission shall be appointed which shall have the powers, jurisdiction and authority granted in this act In the discretion of the legislative body, such commission may be appointed at any time prior to such acquisition and after the adoption of the ordinance declaring the district formed. The commission shall consist of three members. Each commissioner shall be a resident and qualified elector of the municipality or county. Members of the commission shall serve without compensation. Members of the commission shall be appointed in the case of a municipality by the mayor, subject to confirmation by the legislative body thereof, and in the case of a county by the legislative body.

The commissioners shall hold office for the term of three years from the date of their appointment and qualification and until their successors are appointed and qualified, except that members of the first board appointed shall classify themselves by lot so that one member holds office for one year, one for two years, and one for three years, and, in each instance, until a successor has been appointed and qualified, provided, however, that by a four-fifths vote a commissioner may be removed by the legislative body at any time.

Commissioners shall be persons of business experience and ability [and interested in the district], to the end that the affairs of the district shall be administered in the interests of the district. A commissioner may be an owner or lessee of property, or an officer, employee, or agent of a corporation owning or leasing property, within the district or, in the case of a commission appointed under Section 51 hereof, within one of the districts, or any other qualified person, *but each commissioner shall have the qualifications specified in the first paragraph of this section*. Whenever there is filed with the legislative body of the city or the county, as the case may be, a petition signed by the owners of more than one-half of the area of assessable land within the district requesting the removal of a commissioner, such legislative body shall immediately remove such commissioner, and a new commissioner shall be appointed in the same manner as for other appointments. The commissioner so removed shall be ineligible to hold office as a commissioner of the district for a period of one year following his removal. To secure the removal of a commissioner from a commission appointed under Section 51 hereof, the petition must be signed by the owners of more than one-half of the area of assessable land within each of a majority of the districts governed by such commission.

SEC 5. Section 31571 is added to the Streets and Highways Code, to read:

31571. The petition for the formation of a district may propose that lands already owned by the city are to be used as parking places for the proposed district.

In such event the petition shall state what compensation is to be paid to the city for such use and the manner in which such compensation is to be paid. Such payment may be made out of revenues from the use of such lands, and other lands acquired for the district for parking places. The legislative body may refuse said petition or agree by resolution to such use for the compensation provided in the petition. If the legislative body so agrees, then the ordinance of intention shall describe the lands to be so used and shall state the amount and manner of payment of the compensation. The improvements proposed by a petition may include improvements of lands to be used as parking places pursuant to this section, and in that event the assessment levied shall include the estimated costs and expenses of such improvements. As soon as all collections of paid assessments have been made and all bonds representing unpaid assessments have been sold and paid for, the legislative body shall adopt a resolution providing that such land shall be held subject to the provisions of the act and used as parking places for the use and benefit of the district, and thereafter such land shall be so held and used under the possession and control of the board of parking place commissioners, and the compensation to be paid to the city shall thereafter be paid to it as proposed in the petition.

SEC. 6. Section 31682 is added to said code to read:

31682 The petition for the formation of a district may contain a provision that the redemption provisions of said bonds shall require the payment of a premium of 3 percent of the unpaid principal, in which case the ordinance of intention shall also so provide, and the words, "together with a premium of 3 percent of said unpaid principal" shall be added to the redemption clause of the bonds issued, and such premium must be paid to the treasurer by the property owner or other person paying off any such bond before maturity and discharging the property described therein from the lien of the assessment, and the treasurer must pay such premium to the holder of the bond redeemed

SEC 7 Section 31683 is added to said code to read:

31683 In the case of a district, the petition for the formation of which was filed prior to the effective date of this section, the legislative body may, at any time prior to the giving of notice of the filing of the assessment, declare its intention to provide that the redemption provisions of the bonds shall require the payment of a premium of 3 percent of the unpaid principal, in which case the fact of such declaration of intention shall be stated in the notices of the filing of the assessment, and said notices shall further state that prior to the hearing on the assessment any interested person may file with the clerk written objection to requiring such premium. At the hearing on the assessment the legislative body shall hear all such protests, and if following such hearing the legislative body determines that the best interests of the persons owning or having any interest in the property within the district would be served by requiring such premium, then the words set forth in Section 31682 shall be added to the redemption clause of the bonds issued, and such premium must be paid to the treasurer by the property owner or other person paying off any such bond before maturity and discharging the property described therein from the lien of the assessment, and the treasurer must pay such premium to the holder of the bond redeemed

SEC 8 Section 31530 of said code is amended to read:

31530. The formation of a vehicle parking district may be proposed by petition signed by the owners of land in the proposed district, *as shown by the last equalized assessment roll of the county in which the proposed district lies, owning lands* of an assessed value of not less than twenty percent (20%) of the total assessed value of all land in the district, as shown by the last equalized county assessment roll.

SEC 9 Section 31776 of said code is amended to read.

31776. Commissioners shall be persons of business experience and ability [and interested in the district], to the end that the affairs of the district shall be administered in the interests of the district.

SEC 10 Section 31777 of said code is amended to read:

31777. A commissioner may be an owner or lessee of property, or an officer, employee, or agent of a corporation owning or leasing property, within the district or, in the case of a commission appointed under Section 31865, within one of the districts, or any other qualified person, *but each commissioner shall have the qualifications specified in Section 31771*

SEC 11. Sections 5 to 10, inclusive, of this act become operative only if Division 18 of the Streets and Highways Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 18 takes effect, at which time Sections 9.1, 27 1, and 27 2, added to the Vehicle Parking District Act of 1943, and Section 44 of said act, as amended, are repealed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 555—An act to amend Sections 31905, 32022, 32036, 32050, 32055, and 32056, and to repeal Sections 32036, 32051, and 32062, of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "32022, 32036", and insert "31931, 32022".

Amendment No. 2

In line 2 of the title of said bill, strike out "and to repeal Sections 32036, 32051," and insert "to amend and renumber Section 30236, and to repeal Sections 32051".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 7 and 8, insert

"SEC. 1.5. Section 31931 of said code is amended to read.

31931. [By the adoption of an ordinance by a four-fifths (⅘) vote, the board of supervisors may abolish the system theretofore established in the county pursuant to this chapter or its predecessor.] *The retirement system established in the county pursuant to this chapter or its predecessor may be abolished only by a majority vote of the electors of the county voting on the proposition at a special or general election* The abolishment of the system shall not impair the right of any person to whom pension rights have accrued to continue to receive such pension after the abolishment of the system, and if the fund is inadequate to pay such pensions, they shall be paid from and constitute a charge upon the general fund of the county."

Amendment No. 4

On page 2 of said bill, strike out line 17, and insert

"SEC. 3. Section 30236 of said code is amended and renumbered to read:

Amendment No. 5

On page 3, line 44, of said bill, after "widow", insert "or widower".

Amendment No. 6

On page 3 of said bill, strike out line 45, and insert "ing her or his lifetime or until he or she remarries. Thereafter,".

Amendment No. 7

On page 3, line 46, of said bill, after "widow", insert "or widower".

Amendment No. 8

On page 4, line 6, of said bill, after "widow", insert "or widower".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 656—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, to repeal Sections 13082, 13083, 13084, and 13085 of the Education Code, relating to teachers' tenure.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 15, of the printed bill, after "13081", insert "and Section 13083".

Amendment No. 2

On page 2, line 2, of the printed bill, after "13081", insert "and Section 13083".

Amendment No. 3

On page 2, line 48, of the printed bill, after "regular", strike out "two", and insert "three"

Amendment No. 4

On page 3, line 21, of the printed bill, after "13802", strike out "13083".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 739—An act to amend Section 19091 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 19091 of", and insert "add Sections 370, 4863, and 12307 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1 Section 370 is added to the Education Code to read.

370. The county superintendent of schools, with the approval of the county board of education and subject to such regulations as the Superintendent of Public Instruction may prescribe, may sell copies of educational materials prepared by his office the cost of which is a lawful charge against the county school service fund. The price at which such copies may be sold shall be not less than the cost of such copies and the cost of distributing them to the purchasers

SEC. 2. Section 4863 is added to said code to read

4863. The county superintendent of schools, with the approval of the county board of education, may subscribe for his office for membership in any society, association, or organization which has for its exclusive purpose the promotion and advancement of public education through research and investigation and the publication of reports on educational problems Membership shall be limited to societies, associations, and organizations which have been approved by the State Board of Education

SEC 3. Section 12307 is added to said code to read:

12307. Service in an administrative or supervisory capacity of any person employed by a county superintendent of schools in this State in connection with services authorized or required to be performed by the county superintendent of schools under Sections 10324, 10506, 18941, or 18942 of this code, shall be counted as education service in the public schools of the county and school experience in the public schools of the State."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United

States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000) and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "hereby appropriated".

Amendment No. 2

On page 2 of the printed bill, strike out lines 34 to 38, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1250—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert

"CHAPTER 1. GENERAL PROVISIONS.

65000. The definitions and general provisions contained in this chapter govern the construction of this title unless the context otherwise requires

65001. "Board" means the State Conservation and Planning Board

65002. "Street" includes street, highway, freeway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement and right of way, and other ways.

65003 "Right of way" means any public or private right of way and includes any area required for public use pursuant to any master plan or precise plan.

65004 "Regional planning district" or "regional planning commission" means a district or commission provided for in Article 3, Chapter 2.

65005 "Region" means territory comprising a regional planning district.

65006 "Area" means any territory selected pursuant to this chapter for united or joint planning purposes and may include populated or unpopulated areas, urban, suburban, metropolitan, or rural areas, cities, counties, or portions of counties

CHAPTER 2 STATE AND REGIONAL PLANNING LAW

Article 1. Definitions and General Provisions

65100 This chapter may be cited as the State and Regional Planning Law.

Article 3 Authority for Regional Planning

65180. To provide state-coordinated regional planning, the board shall, after consulting with local planning commissions and legislative bodies concerned, relative to district boundaries, divide the State into regional planning districts.

65181 So far as possible, the districts shall be established so as to include

(a) Natural geographic regions including watersheds of major stream systems, and the land upon which the waters of such watersheds are put to beneficial use.

(b) Areas having mutual economic, political, social and recreational interests and similar needs for conservation

65182 A regional planning commission may be established for each regional planning district The Governor shall appoint all members of the commission from nominees selected by the legislative body of each county or portion of county or city within the district from the membership of each county or city planning commission. The commission shall always consist of an odd number of members

65183. Nomination and appointment shall be as follows:

(a) Each county or portion of a county and each city within a regional planning district shall be represented by at least one member on the regional planning commission, but in special cases city legislative bodies may waive this right. County legislative bodies may waive this right only for portions of counties.

65184. The term of office of a member of the regional planning commission shall correspond with his term as member of the county or city planning commission. A member may be removed by the Governor with the approval of the nominating legislative body.

65185 The operation of a regional planning commission shall be determined by the cooperating cities and counties in accord with a mutually agreed upon plan for organization and financing The plan may provide for the employment of necessary personnel and consultants and other specialists, and for the employment of consultants and other specialists by contract

65186 Any counties or cities which are included in a regional planning district may enter into contracts with any other counties or cities in the district for the preparation of master and precise plans or the performance of other planning functions pursuant to Article 1, Chapter 5, Division 7, Title 1.

65187. The regional planning commissions shall prepare, adopt, and submit to the area, county and city planning commissions in their respective regions, plans, features of plans and findings in matters pertaining to regional and state welfare.

65188. Before adopting all or part of the master plan or any amendment to it the regional planning commission shall hold at least one public hearing.

65189 The regional planning commission shall give notice of the time and place of hearing. The notice shall be published at least once in a newspaper of general circulation in each county within the regional district, or if there is none, in a newspaper of general circulation in the nearest county having such newspaper. The publication shall be made at least 10 days before the day of hearing.

65190 Each regional planning commission shall render an annual report on such matters and in such form as may be prescribed by the board. Such annual report shall be filed with the board, with each area, county or city planning commission and with each legislative body within each region.

65191. Each regional planning commission shall hold at east one regular meeting every three months.

CHAPTER 3 LOCAL PLANNING

Article 1. Authority for Area, County and City Planning

65300. By ordinance the legislative body of each city may, and of each county shall, create a planning commission.

65301 In addition to the creation of a planning commission each county and city legislative body may by ordinance create a planning department.

65302. By resolution, the legislative bodies of a city, or cities, county, or counties, may establish an area planning commission. The resolution shall describe the boundaries of the area over which the area planning commission shall have jurisdiction for general area planning only.

65303. A copy of the resolution shall be transmitted to any state planning board in existence at the time the area is formed.

Article 2. Appointment of Commissions

65330 An area, a county or a city planning commission shall consist of five, seven or nine members. County or city officers may be designated as ex officio members, who shall not exceed one of a five-member commission, two of a seven-member commission or three of a nine-member commission. All members except advisory members shall have a vote.

65331 The members of a city planning commission shall be appointed by the mayor with the approval of the legislative body.

65332. The members of a county planning commission shall be appointed by the chairman of the board of supervisors, with the approval of the board.

65333. By resolution, the legislative bodies of the cities and counties affected shall appoint the members of the area planning commission from the city or county planning commissions. The term of office of each member shall correspond with his term on the city or county commission.

65334. Of the members other than ex officio or advisory members, of the county or city commission first appointed, any combination of one, two, three or four year terms to obtain the maximum staggered terms may be used.

65335. The successors to the first members shall be appointed for four-year terms.

65336. Vacancies shall be filled by appointment for the unexpired portion of the term

65337. If a chartered county or city provides in its charter or by ordinance for the mode of appointment, number of members, terms of office, powers and duties, and methods of removal of the planning commission of the city or county, such charter or ordinance shall prevail.

65338. The term of an advisory or ex officio member shall correspond to his official tenure.

65339 Each advisory member may designate one of his deputies to sit on the area, county or city commission in his absence.

65340 Any appointee member of a county or city commission may be removed by either of the following:

(a) The appointing official, subject to approval of the legislative body.

(b) A majority vote of the legislative body

65341. A member of an area planning commission from any city or county may be removed by majority vote of the legislative body of such city or county

65342. By resolution of the legislative body of a county or city, advisory members, who shall be county or city officers or employees, or members of the legislative body, may be appointed to advise area, county, or city planning commissions. The advisory members shall have no votes.

Article 3 Appointment of Director of Planning and Staff

65360. The administrative head of a county or city planning department shall be the director of planning, who shall be a person qualified by training, experience, and demonstrated ability to manage the affairs of such department.

65361. In the ordinance creating a planning department, and subject to county or city civil service rules, the legislative body may establish the responsibility and procedure for the selection and appointment of a director of planning, fix his salary, and prescribe his duties and the general rules under which he shall hold office. If neither the county or city charter nor the ordinance creating a planning department states how the director of planning is to be appointed, he shall be appointed by the planning commission, or the chief executive officer, or the legislative body upon recommendation of the planning commission

65362. Subject to any applicable personnel or civil service rules, the director of planning may appoint professional, technical, administrative, and other employees, and upon his recommendation consultants and other specialists, as required, may be employed or such services secured by contract

65363. Where there is no director of planning the planning commission, the chief executive officer or the legislative body may, upon recommendation of the planning commission, appoint necessary personnel, subject to any applicable personnel or civil service rules, and/or employ or contract for the services of consultants and other specialists.

65364. Each commission may employ or contract with planning consultants and other specialists for such services as it may require.

65365 The operation of an area planning commission including the employment of necessary personnel and/or consultants or other specialists by contract, shall be determined by the cooperating cities and counties in accord with a mutually agreed upon plan for organization and financing.

Article 4 Organization of Planning Commissions

65400. Each commission appointed pursuant to this chapter shall elect its chairman and vice chairman from among the appointed members for a term of one year. The commission may appoint a secretary from among the appointed members

65401. Each county and city planning commission shall hold at least one regular meeting in each month. Each area planning commission shall hold at least one regular meeting every two months.

65402 Each commission shall adopt rules for the transaction of business and shall keep a public record of its resolutions, transactions, findings, and determinations.

65403 Two or more city and county planning commissions may hold joint meetings and by approval of the respective legislative bodies may have the same chairman A city or county planning commission, or both, may also hold joint meetings with a regional or area planning commission.

65404. Two or more city, county, regional, or area planning commissions, or any combination of them, may make cooperative arrangements for a joint director of planning and for such other employees as may be required to operate a joint staff and may contract to render technical service to another commission in the same region or area Such arrangements or contracts shall be approved by the legislative bodies concerned.

Article 5 Authority for Financing

65430 The county or city legislative body shall provide the funds, equipment, and accommodations necessary for the work of the planning commission of the county or city. Such appropriation may include funds to be appropriated for the work of a regional or area planning commission. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the respective purposes.

65431. As a part of its annual tax levy each county and city which has established a planning commission may levy and collect a special tax, not to exceed in any fiscal year two mills ($0 002) on the dollar ($1) of assessed valuation, for the purpose of defraying the lawful expenses incurred by the planning commission or planning department in carrying out the purposes of this chapter Each such county and city may make appropriations from other funds for such purpose.

65432. A regional, area, county, or city planning commission may accept gifts for any work authorized by law.

65433 The members of an area, county, or city commission, including advisory members and members of its staff, shall inform themselves on matters affecting the functions and duties of the commission For that purpose, and when authorized by the commission such members may attend planning conferences, meetings of planning executives, or hearings on planning legislation or matters affecting all or part of the master plan The reasonable traveling expenses incidental to such attendances shall be charges upon the funds allocated to the commission The commission or the department may hold and pay dues for membership in organizations engaged in the study of planning

65434 All members of an area, a regional, a county or city commission, except ex-officio and advisory members, may receive compensation for their attendance at each meeting in a sum to be fixed by the legislative body by which they are appointed but not to exceed twenty-five ($25) dollars per meeting nor one hundred dollars ($100) in any calendar month. In addition, they may also receive reasonable traveling expenses to and from their usual place of business to the place of meeting of the commission.

Article 6 Authority for and Scope of Master Plans

65460 Each commission or planning department shall prepare and the commission shall adopt a comprehensive long-term, general plan for the physical development of the city, county, area, or region, and of any land outside its boundaries which in the commission's judgment bears relation to its planning The plan shall be known as the master plan.

65461 The master plan shall be so prepared that all or portions of it may be adopted by the legislative body as a basis for the development of the city, county, area, or region

65462. The master plan, with the accompanying maps, diagrams, charts, descriptive matter, and reports, shall include the plans specified by this article which are appropriate to the city, county, area, or region, and which may be made the basis for its physical development The master plan may comprise any, all, or any combination of the plans specified in this article, for all or any part of the city, county, area or region

65463 A master plan may include a conservation plan for the conservation, development, and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wild life, minerals, and other nautral resources. A conservation plan may also cover:

(a) The reclamation of land and waters

(b) Flood control.

(c) Prevention and control of the pollution of streams and other waters

(d) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan

(e) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(f) Protection of watersheds.

(g) Prevention and control of the pollution of air

65464 A master plan may include a land use plan, consisting of an inventory and classification of natural land types and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land

65465 A master plan may include a recreation plan, showing a comprehensive system of areas and public sites for recreation, including the following and, when practicable, their locations and proposed development:

(a) Natural reservations

(b) Parks

(c) Parkways

(d) Beaches.

(e) Playgrounds.

(f) Other recreation areas

65466. A master plan may include a street and highway plan, showing the general locations, rights of way and recommended improvement of a comprehensive system of freeways, major thoroughfares, roads and streets and other traffic ways and parking facilities, and the delineation on the land thereof; the recommended treatment thereof, building setback lines, and the delineation of such systems on the land; and such other matters as may be related to the improvement of circulation in the community.

65467 A master plan may include a transportation plan, showing a comprehensive transportation system, including locations of rights of way, terminals, viaducts, and grade separations The plan may also include port, harbor, aviation, and related facilities

65468 A master plan may include a transit plan, showing a proposed system of transit lines, including rapid transit, street car, motor coach and trolley coach lines, and related facilities.

65469. A master plan may include a public services and facilities plan, showing general plans for sewerage, refuse disposal, drainage, and utilities, and rights of way, easements, and facilities for them.

65470. A master plan may include a public buildings plan, showing locations and arrangement of civic and community centers, public schools, libraries, police and fire stations, and all other public buildings, including their architecture and the landscape treatment of their grounds.

65471. A master plan may include a community design plan, consisting of standards and principles governing the subdivision of land and showing recommended designs for community and neighborhood development and redevelopment, including sites for schools, parks, playgrounds and other uses

65472. A master plan may include a housing plan, consisting of a survey and reports upon housing conditions and needs, quantitative and qualitative standards and plans for the elimination of substandard dwellings, the improvement of private housing and for provision of adequate sites for housing.

65473. A master plan may include a redevelopment plan comprising surveys, plans, procedure, and reports for the elimination of slums and blighted areas and for community redevelopment, including private and public housing sites, business and industrial sites, public building sites, and for other purposes authorized by law

65474. A master plan may include a public works plan and program, consisting of studies, plans, and reports for the systematic execution of construction projects, including the listing and classifying of major public works, estimates of costs, determination of priorities for construction, investigation of financial problems and resources, and development of tentative budgets for capital expenditures

65475. As part of the master plan the commission may prepare, receive, and adopt additional plans and reports dealing with other subjects which in its judgment relate to the physical development of the city, county, area, or region and nothing contained in this chapter shall be deemed to prohibit the preparation and adoption of any such subject as a part of the master plan, nor shall the people be denied action on a petition to prepare or adopt any such plans as parts of the master plan

65476. During the formulation of plans and reports intended for adoption by the planning commission, or consideration by the legislative body, the planning commissions shall inform and, to such an extent as may be necessary, confer and cooperate such school boards, departments, or agencies as may have jurisdiction over the territory or facilities for which plans are being made, to the end that maximum coordination of plans may be secured and properly located sites for all public purposes may be indicated on the master plan.

65477 Whenever a city planning commission has adopted a master plan or any major section or unit covering any land outside the boundaries of the city, which in the judgment of the commission bears relation to its planning, such plan, section or unit shall be certified to the planning commission of every county or city, the land of which is included in said plan.

65478 Whenever a county planning commission has adopted a master plan or any major section or unit covering any land adjoining or within a city such plan, section or unit shall be certified to the planning commission of such city or cities.

Article 7 Procedure for Adoption of Master Plan

65500 The planning commission or the planning department may prepare and the commission may adopt all or any part of the master plan or any subject of it for all or any part of the city, county, area, or region. Master regional plans shall be coordinated with similar plans of adjoining regions, and area, county, and city master plans shall be coordinated so as to fit properly into the master plan for the region.

65501 Before adopting all or part of the master plan or any amendment to it, the commission shall hold at least one public hearing.

65502. Notice of the time and place of the hearing shall be given by at least one publication in a newspaper of general circulation in the city, county or in each city or county in an area, at least 10 days before the hearing

65503. The adoption of the master plan, or of any amendment, extension, or addition to it, shall be by resolution of the commission carried by the affirmative votes of a majority of its total voting members

65504. The resolution shall refer expressly to the maps and descriptive and other matter intended by the commission to constitute the plan or amendment, addition, or extension of it The action shall be recorded on the map and plan and descriptive matter by the identifying signatures of the chairman of the commission, and of such other officials as the commission may designate

65505 When changed conditions or further studies by the commission require, the commission may amend, extend, or add to all or part of the master plan in the manner provided in this article for its adoption

65506 A copy of any part, amendment, extension of, or addition to the master plan adopted by a county or city planning commission shall be certified to the legislative body of the city or county.

65507. A copy of any part, amendment, extension of, or addition to, the master plan adopted by an area or regional planning commission shall be certified to each county and city planning commission and to the legislative bodies of each county and city within the area or region.

65508. The adoption of the master plan, or any amendment, extension or addition to it, as certified by a regional an area, a county or city planning commission shall be by resolution of the legislative body or bodies affected and shall be carried by the affirmative votes of a majority of the total voting members of each legislative body.

65509 Before adopting all or any part of, or amendment or addition to, a master plan, the county or city legislative body shall hold at least one public hearing Notice of the time and place of the hearing shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the hearing

65510. In adopting all or any part of, or amendment or addition to, a master plan adopted by the planning commission, the legislative body shall not make any change or addition until the proposed change or addition has been referred to the planning commission for a report and a copy of the report has been filed with the legislative body. Failure of the planning commission to report within 40 days after the reference or such longer period as may be designated by the legislative body, shall be deemed to be approval of the proposed change or addition.

65511. When it deems it to be for the public interest, the legislative body may change or add to all or part of a master plan adopted by it.

65512. The legislative body shall first refer the proposed change or addition to the planning commission for a report Before making a report, the planning commission shall hold at least one hearing on the proposed change or addition It shall give notice of any such hearing, pursuant to the procedure prescribed by this article for the adoption of the master plan or any part, amendment, or addition by the planning commission

65513 Failure of the planning commission to report to the legislative body on a proposed change or addition within 90 days after the reference or such longer period as may be designated by the legislative body, shall be deemed to be approval of the proposed change or addition by the planning commission

65514. After the receipt of such report, the legislative body shall hold at least one public hearing on the proposed change or addition Notice of the time and place of the hearing shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the hearing.

65515 The master plan or any part, amendment, or addition shall be endorsed to show that it has been adopted by the legislative body

Article 8 Administration of Master Plan

65540. After the county or city legislative body has adopted all or part of a master plan for the region, area, county, or city, or for any major section or district of it, the planning commission or the planning department shall investigate and make recommendations to the legislative body upon reasonable and practical means for putting into effect the master plan or part, in order that it will serve as a pattern and guide for the orderly physical growth and development of the region, area, county, or city and as a basis for the efficient expenditure of its funds relating to the subjects of the master plan The measures recommended may include plans, regulations, financial reports, and capital budgets.

65541 After the adoption of all or part of the master plan, by the county or city or area planning commission, the commission shall render an annual report to the respective county or city legislative bodies concerned on the status of the plan and progress in its application

65542. Each annual report shall be prepared pursuant to the outlines and uniform rules established by any planning board of the State of California. A copy of each report shall be filed with the board

65543 Each planning commission or planning department shall endeavor to promote public interest in and understanding of the master plan, and regulations relating to it.

65544 Each planning commission or planning department shall consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens generally with relation to carrying out of the master plans

65545 Upon request all public officials shall furnish to the planning commission or planning department within a reasonable time such available information as required for the work of such commission or department

65546. In the performance of their functions, each planning commission and its members or planning department, officers and employees may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks

65547 Each planning commission and department has the powers necessary to enable it to fulfill and carry out its planning functions.

65548 By general or special rule the body creating the planning commission may provide that other matters shall be referred to the planning commission before

final action is taken by the county or city body or officer with final authority on the matter, and that final action shall not be taken until the planning commission has submitted its report or has had reasonable time, to be fixed in the rule, to submit the report.

65549. In reporting on such other matters the planning commission or the planning department may make such investigations, maps and reports, and recommendations relating to the planning and development of the region, area, county, or city as it deems desirable.

65550. At least three months before the end of each fiscal year each county or city officer, department, board, or commission, and each governmental body, commission, or board whose jurisdiction lies entirely within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the respective county or city planning commission or planning department a list of the proposed public works recommended

65551. The county or city planning commission or planning department shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. The commission shall recommend the program to the chief executive officer or to the legislative body of the county or city and to other bodies, officers, departments, boards or commissions which have jurisdiction over the recommending, planning, or constructing of the public works

65552. Whenever a county or city planning commission and a county or city legislative body has adopted a master plan for the city or county, or for any major section or district of it, no street, square, park, or other public ground or open space shall be acquired by dedication or otherwise, no street shall be disposed of, closed, or abandoned, and no public building or structure shall be constructed or authorized in the area to which the master plan applies, until its location, character, and extent has been submitted to and reported upon by the planning commission having jurisdiction.

65553. If the authorization, acquisition, financing, or acceptance of such street, square, park or other public ground or open space, or the construction or authorization of such public building or structure, is vested by law or charter in some governmental body, commission, or board other than the legislative body, such body, commission, or board shall first submit to the planning commission having jurisdiction, the location, character, and extent of the proposed public improvement for report.

65554. The planning commission shall report its findings to the legislative body which created the commission as to whether any such public improvement conforms to the adopted master plan.

65555 Failure of the planning commission to act within 40 days after the reference or such longer period as may be designated by the legislative body or such other governmental body, board, or commission, after the date of the official submission of the location, character, and extent of such improvement shall be deemed to be an approval.

Article 9. Authority for and Scope of Precise Plans

65600. From time to time, the planning commission or the planning department may or, if so directed by the legislative body shall prepare precise plans based on the master plan and drafts of such regulations, programs, and legislation as may in its judgment be required for the systematic execution of the master plan and the commission may recommend such plans and measures to the legislative body for adoption. The adoption of such precise plans or regulations by the legislative body shall give them the force of law, to promote the public health, safety, and general welfare.

65601. A precise plan may include conservation of natural resources such as reclamation of land and waters, flood control, prevention and control of air and water pollution, regulation of the use of land in stream channels and watersheds, prevention, control and correction of erosion of soils, beaches and shores, protection of forests

65602. A precise plan may include zoning plans, including maps and regulations for the control of the uses of land and buildings, the height and bulk of buildings, the open spaces about buildings, the area of lots or other building sites, the density and distribution of population and such administration, organization, and procedure as may be necessary for the administration, adjustment, reclassifying, variance, and enforcement of such plans and regulations.

65603 A precise plan may include public site plans, showing areas required or deemed necessary for all public sites, including schools, parks, and other recreational areas, trails, public buildings and service facilities, in order to regulate building developments upon such sites and to provide for their acquisition for public development and use

65604 A precise plan may include thoroughfare plans, showing the lines of existing and future street, highway, freeway, and other public rights of way necessary for the conduct of traffic, in order to regulate the placement of future buildings with respect to such lines, and in order to provide for the reservation for limited periods of time or for the public acquisition of street, highway, or freeway rights of way or development rights within the lines of projected thoroughfares.

65605. A precise plan may include street and highway naming and numbering plans, in order to establish the official names of streets and highways, in order to remove conflicts, duplication, and uncertainty among such names, and in order to provide an orderly system for the numbering of buildings and properties, including such rules as may be required for the posting of notices, hearings, and related matters.

65606. A precise plan may include street lighting plans, covering the installation of effective lighting plans on public streets and highways.

65607 A precise plan may include tree planting plans, in order to establish public control over and systematize the planting and maintenance of trees along streets and highways and other landscape effects related thereto.

65608. A precise plan may include building setback line plans, showing yards and open spaces to be required and preserved in the interest of public health and safety along streets and highways.

65609 A precise plan may include neighborhood development plans, including plans for the development of neighborhood and community units or areas, showing public sites for schools, parks, playgrounds, and other uses.

65610. A precise plan may include subdivision regulations, including general and specific rules for the subdivision of land and of lots intended for sale or use, and general or specific rules for the dedication of land for public streets and highways, and regulations governing the submission of tentative and final maps to the planning commission or the planning department, and to the legislative body, and regulations governing the review and approval or disapproval of such maps prior to recordation.

65611. A precise plan may include redevelopment plans

65612 The planning commission or the planning department may prepare and submit to the legislative body and the legislative body may adopt and designate as precise plans or regulations, or both, such other measures as may be required to insure the execution of the master plan.

Article 10 Procedure for Adoption of Precise Plans

65650. Before recommending a precise plan or regulation to the legislative body or any amendment to it, for adoption, the planning commission shall hold at least one public hearing.

65651 Notice of the time and place of the hearing shall be given by at least one publication in a newspaper of general circulation in the city or county at least 10 days before the hearing, and by such other means as the commission deems necessary.

65652. The adoption of any precise plan or regulation, or of any amendment to it, shall be by resolution of the commission carried by the affirmative votes of a majority of its total voting members.

65653. A copy of any precise plan, regulation, or amendment recommended pursuant to this article shall be submitted to the legislative body and shall be accompanied by a report of findings, summaries of hearings, and recommendations of the planning commission.

65654. Upon receipt of a copy of any proposed precise plan or regulation based upon a master plan or amendment of such plan or regulation the legislative body may by ordinance or resolution, adopt the plan in such form as it determines. Before adopting the proposed precise plan or regulation the legislative body shall hold at least one public hearing Notice of the time and place of the hearing shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the hearing Such plan or regulation, as adopted, shall be designated as a precise plan or regulation.

65655 The legislative body shall not make a change in any proposed precise plan, regulation, or amendment thereto recommended by the planning commission until the proposed change has been referred to the planning commission for a report and a copy of the report has been filed with the legislative body.

65656 When it deems it to be for the public interest, the legislative body may adopt an ordinance or resolution establishing any of the precise plans or regulations specified in this article.

65657. The legislative body shall first refer the proposal to establish such precise plan or regulation to the planning commission for a report. Before making a report the planning commission shall hold at least one public hearing in the same manner as heretofore prescribed in this article.

65658. The failure of the planning commission to report within 40 days after the reference or such period as may be designated by the legislative body shall be deemed to be approval of the proposed change or ordinance or resolution

65659 Nothing in this chapter applies to the adoption or amendment of any ordinance by the legislative body, whether or not it may relate to the subjects mentioned in Article 10 of this chapter, except ordinances expressly adopting or amending a precise plan initiated pursuant to this chapter, and except that any ordinance imposing any regulation covered by Chapter 3 of this title shall be adopted as provided in said Chapter 3

Article 11. Administration of Precise Plans and Regulations

65700. The legislative body may determine and establish administrative rules and procedures for the application and enforcement of precise plans and regulations, and may assign or delegate such administrative functions, powers, and duties to the planning commission or the planning department as may be required.

65701 The legislative body may create administrative agencies, boards of review, appeal, and adjustment, and provide for other officials, and for funds for the compensation of such officers, employees, and agencies and for the support of their work.

65702. The legislative body of any county or city may designate the planning commission as the advisory agency with respect to the approval of subdivision maps

65703. No city or county shall improve any street, or lay or authorize sewers or connections or other improvements to be laid in any street within any territory for which the legislative body has adopted a precise thoroughfare plan or a neighborhood development plan until the matter has been referred to the planning commission for a report and a copy of the report has been filed with the legislative body unless one of the following conditions applies:

(a) The street has been accepted, opened, or has otherwise received the legal status of a public street prior to the adoption of the plan.

(b) It corresponds with streets shown on the plan.

(c) It corresponds with streets, highways, and freeways shown on a subdivision map or record of survey approved by the legislative body.

(d) It corresponds with streets, highways, and freeways shown on a subdivision map previously approved by the planning commission.

65704. Failure of the commission to report on the matter within 40 days after the reference or such longer period as may be designated by the legislative body shall be deemed to be approval of such matter.

CHAPTER 4 ZONING REGULATIONS

Article 1. Adoption of Regulations

65800. Pursuant to the provisions of this chapter, the legislative body of any county or city, by ordinance may:

(a) Regulate the use of buildings, structures, and land for agriculture, industry, business, residence and other purposes.

(b) Regulate location, height, bulk, number of stories, and size of buildings and structures; the sizes of yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure.

(c) Regulate the density and distribution of population.

(d) Establish and maintain building setback lines along any street, highway, freeway, road, or alley.

(e) Create civic districts around civic centers, public parks, and public buildings and grounds for the purpose of enabling a planning commission to review all plans for buildings or structures within the district prior to the issuance of a building permit in order to assure an orderly development in the vicinity of such public sites and buildings.

65801. For such purposes the legislative body may divide a city, a county, or portions thereof into zones of the number, shape, and area it deems best suited to carry out the purpose of this chapter.

65802. All such regulations shall be uniform for each class or kind of building or use of land throughout each zone, but the regulation in one type of zone may differ from those in other types of zones.

65803 Except as otherwise provided in this article, a zoning ordinance shall be initiated and adopted in the same manner as a precise plan may be initiated and adopted pursuant to Chapter 2. This section does not require the adoption of a master plan prior to either the initiation or adoption of a zoning ordinance

65804 Except as otherwise provided in this article, an amendment to a zoning ordinance which amendment changes any property from one zone to another or imposes any regulation listed in Section 65700 not theretofore imposed or removes or modifies any such regulation theretofore imposed shall be initiated and adopted in the same manner as required for the initiation and adoption of the original zoning ordinance

65805. If the planning commission mails in the United States mail a written notice of a hearing on a change in or addition to any zoning ordinance, not less than five days prior to such hearing, to every person whose name and address appears on the latest available assessment roll or other list approved by the legislative body as an owner of any property within the territory covered by such proposed change and within one hundred feet of the outer boundaries thereof, the legislative body may enact an ordinance adopting any change or addition recommended by the planning commission without, itself, holding any hearing thereon.

65806 If the planning commission, or the department of planning, in good faith is conducting studies for the purpose of, or holding a hearing for the purpose of, or has held a hearing and has recommended to the legislative body the adoption of any zoning ordinance or amendment or addition thereto, and the legislative body finds that before the effective date of any ordinance which may be adopted as a result thereof, the

establishment of one or more uses is threatened which will be contrary to, and defeat in whole or in part, the purpose of such proposed ordinance, such legislative body may adopt, without notice or hearing, a temporary interim ordinance prohibiting such and any other uses which may be in conflict with such zoning ordinance.

65807. Except as otherwise provided in this article any amendment to a zoning ordinance may be initiated and adopted as other ordinances are initiated and adopted.

65808. If there is no city planning commission the legislative body of such city shall do all things required or authorized by this chapter of the city planning commission. This section does not apply to any county.

Article 2. Administration

65850. The legislative body may create either a board of zoning adjustment or the office of zoning administrator

65851. The provisions of this article as to the powers and duties of either the board of adjustment or zoning administrator apply only insofar as not in conflict with the provisions of any local ordinance.

65852. The zoning administrator shall have all the powers and duties of a board of zoning adjustment. If there is neither a board of zoning adjustment nor a zoning administrator, the planning commission shall have all the powers and duties of a board of zoning adjustment.

65853. The board of zoning adjustment in appropriate cases and subject to appropriate conditions and safeguards as provided by the zoning ordinance, may hear and decide:

(a) Applications for special exception, conditional uses or other permits of any kind or nature.

(b) In specific cases, applications for variances from terms of the ordinance as will not be contrary to its intent nor to the public interest, safety, health, and welfare; where due to special conditions or exceptional characteristics of such property, or its location or surroundings, a literal enforcement of the ordinance would result in practical difficulties or unnecessary hardships.

(c) Hear and decide appeals where it is alleged by the appellant, there is error in any order, requirement, permit, decision, or determination made by an administrative official in the administration or enforcement of this chapter or any ordinance adopted pursuant to it.

65854. The board of zoning adjustment also may:

(a) Exercise such other powers as may be granted by local ordinance.

(b) Adopt all rules and procedures necessary or convenient for the conduct of its business

65855. In exercising the powers granted by Section 65753(c) such board may, in conformity with this chapter, reverse or affirm, wholly or partly or may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as should be made, and, to that end shall have all the powers of the officer from whom the appeal is taken.

65856. Appeals to the board of adjustment may be taken by any person aggrieved, or by any officer, department, board, or bureau of the city or county affected by any decision of the administrative official. Such appeal shall be taken within a reasonable time, as provided by rules of the board, by filing with the officer from whom the appeal is taken, and with the board of adjustment, a notice of appeal specifying the grounds The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

65857 An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed except by a restraining order which may be granted by the board of adjustment or by a court of record on application, and notice to the officer from whom the appeal is taken, and due cause shown.

SEC. 3 The Conservation and Planning Act and Article 4, Chapter 10, Part 2, Division 3, Title 4, of the Government Code are hereby repealed Any ordinances passed pursuant to such Article 4, or its predecessor, prior to the effective date of this act are continued in force until repealed pursuant to law.

SEC 4 Section 1 of this act becomes operative only if Title 7 of the Government Code is enacted by the Legislature at its 1951 Regular Session and in such case at the same time as said Title 7 takes effect."

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 25, inclusive; and strike out pages 2 to 22, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2063—An act to repeal Article 2 of Chapter 1, Title 7 of the Government Code, and to add Article 2, Chapter 1, Title 7 to the Government Code, relating to conservation and planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Article 2 to Chapter 2, Title 7 of the".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert "SECTION 1. Article 2 is added to Chapter 2, Title 7 of the Government Code, to read:".

Amendment No. 3

On page 1, line 8, of said bill, strike out "65030", and insert "65130".

Amendment No. 4

On page 1, line 11, of said bill, strike out "65031", and insert "65131".

Amendment No. 5

On page 1, line 14, of said bill, strike out "65032", and insert "65132"

Amendment No. 6

On page 1, line 16, of said bill, strike out "65033", and insert "65133"

Amendment No. 7

On page 1, line 21, of said bill, strike out "65034", and insert "65134".

Amendment No. 8

On page 1, line 23, of said bill, strike out "65035", and insert "65135".

Amendment No. 9

On page 2, line 1, of said bill, strike out "65036", and insert "65136".

Amendment No. 10

On page 2, line 5, of said bill, strike out "65037", and insert "65137".

Amendment No. 11

On page 2, line 9, of said bill, strike out "65038", and insert "65138".

Amendment No. 12

On page 2, line 14, of said bill, strike out "65039", and insert "65139".

Amendment No. 13

On page 2 of said bill, strike out line 17, and insert "65140. The board shall employ a director of planning".

Amendment No. 14

On page 2, line 22, of said bill, strike out "planning coordinator", and insert "director of planning".

Amendment No. 15

On page 2 of said bill, strike out lines 24 to 26, inclusive, and insert

"65141. The board may accept grants from the Federal or State Governments or their agencies, and may accept gifts for the purposes of state planning.

65142. The board may adopt by a majority vote of the members, reports, findings and recommendations which may be submitted to the Legislature, the proper legislative authorities or other agencies for approval and adoption

65143. The board may make investigations and studies of the resources, needs, requirements, and opportunities for the development of the State and its various areas and submit recommendations to the Governor concerning programs and action by agencies of state, local, and federal governments to aid future growth and development.

65144 The board may prepare, in collaboration with other state departments, general comprehensive plans for the economic and physical development of the State.

65145 The board may

(a) Compile and disseminate physical planning standards to other state departments and to local government agencies

(b) Assist, upon request, local planning agencies, relating to sound procedure and to broad planning practices.

(c) Promote public interest and understanding of state plans, particularly of their relation to federal, regional, area, county, and city plans

65146 The board shall submit an annual report to the Governor on planning progress by State and local Government agencies.

65147. The board may make recommendations to the Governor relative to the research and planning functions of the board or of other state departments, and to legislation for carrying out state plans

65148. In order to provide coordinated planning administration the Governor may from time to time submit recommendations for adoption by the board, the several city, county, area, and regional planning commissions, and by the local legislative authorities in order to promote and effectuate the orderly development of the State and to expedite the adoption of coordinated policies by local legislative authorities acting upon their own discretion.

The board shall transmit the recommendations of the Governor to the proper agencies

65149 The board shall ascertain from each state department, board or other agency, and where possible from federal agencies, all contemplated improvements or projects and where advisable may recommend that such improvements or projects be included in the regional, area, county, or city master plan.

65150 The board shall make available to each state department, board, or other agency all regional and county master plans and information concerning other state projects. Each state department, board, or agency shall give consideration to such other state projects and to the regional and county master plans, so that, when in its judgment it is practical and feasible, its projects may be properly coordinated with those of all other governmental agencies

65151 The board may make rules providing for the time, manner, and cases in which regional, area, county, and city planning commissions shall submit annual reports and other information to the board for review and suggested revision

65152 The board may collect, assemble, and coordinate statistical and research data from the various state departments and act as a clearing house for the dissemination of statistics to state departments, to federal and local government, and to similar agencies in other states.

65153. The board with the approval of the Governor or the Legislature may join with agencies of the Federal Government and other states in preparation and adoption of interstate regional plans which shall be submitted to the Legislature for approval

65154 The board may cooperate with any interested persons or organizations in devising means to conserve and develop the resources of the State

65155. All public boards and officials shall, upon request, furnish to the board, within a reasonable time, such available information as may be required for its work.

65156 In general, the board may act as a coordinating service agency relative to statistical, research, and physical planning matters, in cooperation with other state, federal, local government, and private agencies, for the purpose of promoting the conservation and development of the entire State in an orderly manner."

Amendment No. 16

On page 2 of said bill, strike out lines 27 to 52, inclusive, and strike out all of pages 3 and 4

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 9 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "8751.1,"

Amendment No. 2

On page 7 of said bill, strike out lines 30 to 35, inclusive.

Amendments read.

Roll Call Demanded

Messrs. Beck, Davis, and Lowrey demanded a roll call.

The roll was called, and the amendments offered by Mr. Beck to Assembly Bill No. 831 refused adoption by the following vote:

AYES—Beck, Belotti, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Doyle, Elliott, Gaffney, Gubser, Hansen, Henderson, Kelly, Lowrey, Maloney, McFall, McMillan, Moss, Parker, Rosenthal, Sherwin, and Silliman—24

NOES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Connolly, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, McCollister, McGee, Morris, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—40

The question being on the passage of Assembly Bill No. 831.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Connolly, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—48

NOES—Beck, Coats, Collier, George D. Collins, Conrad, Davis, Doyle, Hansen, Henderson, Lowrey, McFall, Moss, Parker, and Silliman—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 273—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Davis and Lowrey—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 609—An act to provide for the reversion to the General Fund of any unexpended balance in the Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2005 HOLD PLACE ON FILE

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 2005 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 563—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, 23701j, and 23702*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d, and 23731e of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 564—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman,

Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 248 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Coates asked for, and was granted, unanimous consent that Assembly Bill No. 248 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Conservation, Planning, and Public Works.

Speaker Pro Tempore Presiding

At 10.50 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 565—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 568—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 569—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 570—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 571—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 572—An act to amend Section 23253 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman,

Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections 23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 580—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 560—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 574—An act to add Sections 23222a, 24121k.1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 732

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 732, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 732

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3370

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3370, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3370

Assembly Bill No. 3370—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 664

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 664, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 664

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 437

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 437, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 437

Assembly Bill No. 437—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318.6 to and to add Article 2.5, consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732, and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1.5, consisting of Sections 18121, 18122, 18122.1, 18122.2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132.6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 438

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 438, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 438

Assembly Bill No. 438—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736.2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o.1, 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 485—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 537—An act to amend Section 2928 of the Labor Code, relating to employment relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 68—An act to add Section 5082.6 to the Business and Professions Code, relating to the application of persons serving in the Armed Forces for registration as public accountant, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 69—An act to add Sections 9541.1 and 9544.1 to the Business and Professions Code, relating to licensees of the State Board of Dry Cleaners, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 70—An act to add Section 8557 to the Business and Professions Code, relating to licensees of the Structural Pest Control Board entering the Armed Forces, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.27 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by disabled veterans from the motor vehicle license fee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Thomas, and Tomlinson—57.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 968 BE RE-REFERRED TO COMMITTEE

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bill No. 968 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

ASSEMBLY BILL NO. 1756 ORDERED RE-REFERRED TO COMMITTEE

Speaker Sam L. Collins ordered Assembly Bill No. 1756 withdrawn from the third reading file, and re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1158

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1158, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1158

Assembly Bill No. 1158—An act to add Section 269b to and to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.35 a.m., Mr. Hagen asked for, and was granted, unanimous consent that Mr. Condon be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 96

By Messrs. Kilpatrick, Morris, Munnell, Burke, Hahn, and Burkhalter:

House Resolution No. 96

Relating to memorializing the Federal Government to deport criminals who are aliens or naturalized by fraud

WHEREAS, Organized crime in the United States is increasing at an alarming rate; and

WHEREAS, The syndication of crime is on an interstate basis, making it difficult for the several states to uproot the out-of-state sources or leaders, with the result that state convictions for crime bring only a replacement from a national syndicate; and

WHEREAS, The leaders of national crime syndicates are often free from personal participation in the elements of a punishable crime; and

WHEREAS, Experience has shown that many of these leaders and underlings are aliens or have obtained their citizenship by fraud; and

WHEREAS, Such persons are abusing the privileges of entry or naturalization, and are undesirable persons to have within the United States; and

WHEREAS, The Federal Government is the proper sovereign power to rid ourselves of such undesirables through the immigration and naturalization powers of the Federal Government; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States, the President of the United States, the Department of Justice and the Commissioner of Immigration and Naturalization be memorialized to take whatever action is necessary under Title 8, §§ 155 and 738 United States Code, and related sections, or enact appropriate legislation, to effect the deportation of proven members of a crime syndicate or criminal organization, or who have been convicted of a felony, who are either aliens or have obtained naturalization by fraud; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Attorney General of the United States and to the Commissioner of Immigration and Naturalization

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 20—Relative to the use of federal gasoline tax money.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 23—Relative to economy in Federal Government expenditures and services.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 12.09 thereof, relating to leases on office premises, Section 13.13 thereof, relating to powers of the Building and Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 24 of the title of the printed bill, as amended in the Assembly March 14, 1951, after "association" insert: "and to amend Sections 5051, 5651, 6001, 6702, 6703, 6704, 7600, 7602, 7603, 7606, 8500 and 9069 of, and to add Sections 6010, 6203.5, 6411, 7612, 7613, 7614, 9013, 9055.5 and Article 5 comprising Section 5700 to Chapter 3 of Division 2 of the Financial Code, all relating to building and loan associations."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 18 of said bill, after line 28, insert

"SEC. 18. Section 5051 of the Financial Code is amended to read:

5051. "Advertisement" includes advertisement, circular, pamphlet, prospectus, *letterhead*, circular letter, newspaper, *billboard*, *sign*, and [oral] statements broadcast by radio *or television*.

SEC. 19. Section 5651 of said code is amended to read:

5651. No document changing the name of an association, or setting forth the new name of an association, shall be filed in the office of the Secretary of State unless there is attached to such document a certificate of the commissioner approving the new name proposed for the association. Such certificate shall only be issued by the commissioner, after and upon the same notice, proceedings, upon the same grounds, and subject to the same rules, presumptions and restrictions as are set forth in Article 1 of this chapter in relation to the matters of the name of an association. *Notice and hearing shall not be required, however, if the change in name consists only in omitting, including or substituting one or more of the following words: "the," "and," "building," "loan," "savings," and "association"*.

SEC. 20. Section 6001 of said code is amended to read:

6001 The application for a branch license shall be *accompanied by a filing fee of one hundred dollars ($100), shall be* in such form as the commissioner requires, and shall include an itemized statement of the estimated receipts and expenditures of the association in connection with such branch for the first year or such longer period as the commissioner requires, and a showing that the public convenience and advantage will be promoted by the operation of such branch.

SEC. 21 Section 6010 is added to said code, to read:

6010. An association which maintains one or more branch offices shall give to each branch office a specific designation by name and include in the designation the word "branch" and shall prominently display the designation at the place of business of the branch.

SEC. 22 Article 5 is added to Chapter 3 of said code, to read:

Article 5. Change of Location of Offices

5700. An association shall not change the location of its principal office or of any branch office except with the approval of the commissioner. If the proposed change is from one city to another the commissioner shall, and in any other case the commissioner may, hold a hearing upon the proposed change. If a hearing is held the commissioner shall mail notice of such hearing to each association in this State at least 10 days before such hearing, and the association requesting the commissioner's approval shall pay him a fee of one hundred dollars ($100) before such notices are mailed.

SEC. 23 Section 8500 of said code is amended to read:

8500. If the value of the assets of an association after deducting the amount of liabilities of the association, including the value of its outstanding investment certificates and shares, is less than the aggregate par value of the association's outstanding stock [or the investment certificate and withdrawable share reserve required for such association by Article 1 of Chapter 9 of this part which reserve shall be computed without giving effect to Section 6903, whichever is greater,] the capital of the association shall be deemed to be impaired for the purposes of this article.

SEC. 24. Section 7600 of said code is amended to read:

7600. Associations may issue shares or investment certificates to a minor of any age and receive payments thereon by or for such minor. [If] Such minor [is 14 years of age or over, he] is entitled to withdraw, transfer, or pledge any shares or certificates owned by him and to receive from the association all dividends, interest, or other money due thereon in the same manner and subject to the same conditions as an adult. The receipt or acquittance of a minor who is 14 years of age or over constitutes a valid release and discharge of the association for the payment of dividends, interest, or other money due to such minors.

SEC 25 Section 7602 of said code is amended to read:

7602. When shares or investment certificates are issued in the name of two or more persons *whether minor or adult* as joint tenants or in form to be paid to any of *them or the survivors of them, such shares or certificates and all dues paid thereon* become the property of such persons as joint tenants.

SEC. 26. Section 7603 of said code is amended to read:

7603. Shares or investment certificates owned in joint tenancy and all dividends and interest thereon are held for the exclusive use of the joint tenants and may be paid to any of them during their lifetime or to [any] *the survivor or any one* of the survivors of them after the death of one or more of the joint tenants. *By written instructions of all joint tenants given to the association, they may require the signatures*

of more than one of such persons during their lifetimes or of more than one of the survivors after the death of any one of them on any notice of withdrawal, request for withdrawal, check endorsement or receipt, in which case the association shall pay withdrawals, dividends and interest only in accordance with such instructions, but no such instructions shall limit the right of the sole survivor or of all of the survivors to receive withdrawal payments, dividends and interest [The] Payment *as provided in this section* and the receipt or acquittance of any joint tenant is a valid and sufficient release and discharge of such association for all payments made on account of shares or certificates owned in joint tenancy prior to the receipt by such association of notice in writing *from any one of them* not to make payments in accordance with the terms of such shares or certificates *or of such written instructions. After receipt of such notice an association may refuse, without liability, to pay withdrawals, dividends or interest pending determination of the rights of the parties*

SEC. 27. Section 7606 of said code is amended to read:

7606. When a person holding shares or investment certificates as trustee or guardian dies and no notice of the terms, revocation, or termination of the trust or guardianship is given in writing to the association, the withdrawal or other value of the shares or investment certificates or any part thereof may be paid to the beneficiary or ward. If no beneficiary or ward has been designated in writing to the association, the withdrawal or other value or any part thereof may be paid to the trustee's or guardian's executor or administrator. Such payment by any association is a valid and sufficient release and discharge of the association for the payment *whether or not such payment is made to a minor*.

SEC. 28. Section 7612 is added to said code, to read.

7612. Notice to any association of an adverse claim to shares or investment certificates standing on its books to the credit of, or to personal property held for the account of, any person may be disregarded until and unless such adverse claimant either (i) procures and serves upon the association at the office at which the account is carried or the property held a restraining order, injunction or other appropriate order against the association from a court of competent jurisdiction in an action in which the adverse claimant and all persons in whose name such account stands or for whose account such property is held are parties, or (ii) executes and delivers to the association at the office at which the account is carried or the property held a bond in form and with surety acceptable to it and in an amount fixed by the association, but which amount in no event need be more than twice the value of the shares or investment certificates or more than twice the market value of the property against which the adverse claim is made, indemnifying it and also all persons in whose names such account stands or for whose account such property is held, against all liability, loss, damage, costs and expenses arising out of the refusal to permit withdrawal from such account or to pay dividends or interest thereon or to deliver such property. Unless such restraining order, injunction or other appropriate order is obtained, or such bond is given, the association, notwithstanding such notice, may honor notices of intention to withdraw and may pay withdrawals, dividends and interest to the person or persons to whose credit the account stands or may deliver such property to or upon the order of the person for whose account such property is held, without any liability on the part of the association.

SEC. 29. Section 7613 is added to said code, to read:

7613. If an adverse claimant delivers to the association at the office at which the account is carried or the property held his affidavit stating that of his own knowledge the person to whose credit the account stands or for whose account the property is held is a fiduciary for the adverse claimant and that such fiduciary is about to misappropriate the account or the property and stating the facts upon which the claim of a fiduciary relationship is based, the association may refuse to pay withdrawals, dividends or interest on the account or may refuse to deliver such property until the adverse claim is finally adjudicated or released, without liability on its part and without liability for the sufficiency or truth of the facts alleged in the affidavit

SEC. 30. Section 7614 is added to said code, to read:

7614. The provisions of Sections 7612 and 7613 are applicable even though the name of the person appearing on the association's books to whose credit the account stands or for whose account the property is held is modified by a qualifying or descriptive term such as "agent," "trustee" or other word or phrase indicating that such person may not be the owner in his own right of the account or property.

SEC. 31. Section 6702 of said code is amended to read:

6702. An association may invest in, hold, buy, and sell the following:

(a) Real property used or to be used primarily as the principal office or branch of the association. *Except as provided in Section 6703* no association issuing either stock or investment certificates or both shall invest in such real property more than one-half of the sum of its aggregate paid-up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation.

(b) Furniture, fixtures, furnishings, [and] equipment, *and leasehold improvements* necessary or proper for the business of the association, or for use in connection with properties owned by or securing loans of the association. *Except as provided*

in Section 6703 no association issuing either stock or investment certificates or both shall invest in furniture, *fixtures*, furnishings, [and] equipment, *and leasehold improvements* for its offices, more than [10 percent] *20 percent, or if it has no real property used or to be used primarily as its principal office or branch, 30 percent* of the sum of its aggregate paid-up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation

(c) United States Government bonds and treasury certificates, or any bonds, debentures, notes, or other obligations guaranteed by the United States of America.

(d) Bonds, debentures, and notes issued by any federal home loan bank, or other similar federal agency.

(e) Consolidated federal home loan bank bonds, debentures, or notes.

(f) Bonds of this State or of any county, municipality, or school district in this State.

(g) Bonds, other securities, and bankers' acceptances which are legal as investments for or purchases by savings banks in this State.

(h) Bonds issued by any railroad corporation or any public utility corporation substantially all of the properties of which are located in the United States of America. Railway corporations and public utility corporations, as used in this subdivision, do not include street railway corporations. The purchase of all bonds pursuant to the sole authority of this subdivision shall be first approved by the commissioner.

(i) Notes or bonds secured by first mortgage or first deed of trust, payment of which is guaranteed by a policy of mortgage insurance, or mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of Part 6 of Division 2 of the Insurance Code.

(j) California street improvement bonds. The purchase of all bonds pursuant to the sole authority of this subdivision shall be first approved by the commissioner and no association at any one time shall have invested pursuant to the sole authority of this subdivision an aggregate amount in excess of 2 percent of the then total assets of the association.

(k) Stock issued by any federal home loan bank or other similar federal agency of which the association is eligible to be a member.

(*l*) Bonds, notes, debentures, or other obligations of national mortgage associations or other similar credit institutions now or hereafter organized under Title III of the National Housing Act. The purchase of all bonds, notes, debentures or other obligations pursuant to the sole authority of this subdivision shall be first approved by the commissioner.

(m) Bonds and other securities as provided in Division 11 of this code

SEC. 32. Section 6703 of said code is amended to read.

6703. No association at any one time shall have invested pursuant to subdivisions (g), (h), (i), (j), and (*l*) of Section 6702 an aggregate amount in excess of 10 percent of the total assets of such association unless prior consent is obtained from the commissioner *The percentage limitations specified in subdivisions (a) and (b) of Section 6702 may be exceeded if the investment in excess of such limitations is approved by two-thirds of the directors and is approved in writing by the commissioner.*

SEC. 33. Section 6704 of said code is amended to read.

6704. An association may enter into or assume leases covering real property used or to be used in connection with the business of such association No association issuing stock or investment certificates shall enter into or assume leases providing in the aggregate for rental payments in any one year in excess of 5 percent of the sum of its aggregate paid-up nonwithdrawable capital *federal insurance reserve, loan reserve*, and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation, after deducting from such sum any amounts invested in real property pursuant to subdivision (a) of Section 6702.

SEC. 34. Section 6203 5 is added to said code, to read

6203 5. An agent, salesman or collector shall not represent that his office is the office or branch of an association.

SEC. 35. Section 6411 is added to said code, to read:

6411. An association shall not issue shares or investment certificates, or pay withdrawals, elsewhere than at the principal office or a branch of such association

SEC 36 Section 9013 is added to said code, to read:

9013. Claims for damages resulting from the disaffirmance of an executory contract or lease by the commissioner may be filed and allowed. No claim of a landlord for damages resulting from the disaffirmance of an unexpired lease of real property or under any covenant of such lease shall be allowed in an amount exceeding the rent reserved by the lease, without acceleration, for the year succeeding the date of the surrender of the premises plus the amount of any unpaid accrued rent without acceleration. Any such claim must be filed within 30 days of the date of such disaffirmance or within the time that claims must be filed under Sections 9051 and 9052, whichever is longer.

SEC. 37. Section 9055.5 is added to said code, to read:

9055.5. Claims of holders of investment certificates and of shares shall bear interest, from the date when interest or dividends were last paid or credited on such certificates or shares, at the rate or rates of return on investment certificates and shares determined from time to time by the commissioner to be the rate or rates of return on investment certificates or shares paid or credited for the period or periods in question by the largest number of associations in this State. Claims of other creditors shall bear interest at the rate provided by law on judgments from the date the commissioner takes possession of the business, property and assets of the association.

SEC. 38. Section 9069 of said code is amended to read:

9069. After complying with Section 9068 the commissioner shall pay all claims approved in the sum of ten dollars ($10) or more, other than the claims of shareholders and stockholders, without distinction or preference as between the claims of certificate holders and other creditors *except as provided in Section 9055.5 as to the respective rates of interest thereon.* Thereafter the commissioner shall distribute and pay dividends in liquidation first to the shareholders until their claims are fully paid or such assets or funds are exhausted, and second, if any such assets or funds remain, to the stockholders until such assets or funds are exhausted. In the case of any association in which shareholders were prior to August 29, 1933, granted the right and option by the association to exchange their shares for investment certificates of equal value the commissioner shall distribute and pay dividends in liquidation to such shareholders without distinction or preference as between the claims of such shareholders and the claims of certificate holders and other creditors.

SEC. 39. Sections 18 to 38 inclusive of this act become operative only if Division 2 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 1.01, 1.03, 2.05, 2.07, 7.06, 8.03, 8.04, 8.05, 9.02, 9.17, 10.03a, 12.09, 13.13, and 13.16 of the act cited in the title as amended by this act, and Sections 2.11, 8.14, 11.06, and 12.13 of said act as added by this act, are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. McCollister, Clarke, Dills, Thomas, and Evans:

House Resolution No. 105

Relative to the creation of the Assembly Committee on Interstate Cooperation

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Interstate Cooperation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to cooperation between this State and the other states and with the Federal Government, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

7. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 246
Assembly Bill No. 1645
Assembly Bill No. 1647
Assembly Bill No. 2793

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1646
Assembly Bill No. 1649
Assembly Bill No. 1650
Assembly Bill No. 1989
Assembly Bill No. 2120
Assembly Bill No. 2506
Assembly Bill No 2903

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 245
Assembly Bill No. 247
Assembly Bill No. 2787

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2082

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 867

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 445
Assembly Bill No. 1028
Assembly Bill No. 2015
Assembly Bill No. 2623
Assembly Bill No. 2694
Assembly Bill No. 2796

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 856
Assembly Bill No. 2724

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 734
Assembly Bill No. 735
Assembly Bill No. 804

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

RECESS

At 11 46 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1851

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 626
Assembly Bill No. 2675

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 586
Assembly Bill No. 992
Assembly Bill No. 1541

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 431
Assembly Bill No. 453
Assembly Bill No 853
Assembly Bill No. 925
Assembly Bill No. 2128
Assembly Bill No 2482
Assembly Bill No. 2530

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 35—Relative to the death of Judge Herbert Wilson Erskine;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirtieth day of March, 1951, at 2 p.m.

BURKE. Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 440—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d 1, 24201d.2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately;

Assembly Bill No. 575—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071l, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203c-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader;

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices;

Assembly Bill No. 816—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 577—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a, 25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 26080.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately;

Assembly Bill No. 1114—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts;

Assembly Bill No. 2143—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2144—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve;

Assembly Bill No. 2145—An act to repeal Section 10651 of the Insurance Code, relating to associations;

Assembly Bill No. 2146—An act to repeal Article 5, Chapter 2, Division 4 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2148—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare;

Assembly Bill No. 2163—An act to amend Section 7363 of the Agricultural Code, relating to marketing plans;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m.

BURKE, Chairman

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 420 CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote whereby Assembly Bill No. 420 was passed, be continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 434 CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote whereby Assembly Bill No. 434 was passed, be continued until the next legislative day.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 352
Senate Bill No. 731
Senate Bill No. 1715
Senate Bill No. 1718

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 352—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of state-owned railroads as to safety of operation.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health

Senate Bill No. 1715—An act to add Section 1078 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Senate Bill No. 1718—An act to add Section 958 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 431 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 992 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 925 re-referred to the Committee on Fish and Game.

Assembly Bills Nos. 853, 453, and 1541 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 586, 2128, 2482, and 2530 re-referred to the Committee on Agriculture.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 30, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber, Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative, and recommends the following action:

Approved for Press Card

San Francisco Call-Bulletin—John Keyes.

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION

By unanimous consent, the Assembly ratified the above action as taken by the Capitol Correspondents Association.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1683—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 771—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Maloney, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 768 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 768 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1833—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2280—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3378—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, and Mr. Speaker—57.

NOES—Shaw and Tomlinson—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after "reservations", insert ", to take effect immediately".

Amendment No. 2

On page 1, line 11, of said bill, strike out "or", and insert "of".

Amendment No. 3

On page 1 of said bill, after line 14, insert

"SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 34—An act to add Section 9612 to the Government Code, relating to the interpretation of statutes referring to military service and specified branches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 9, insert
"SEC. 2 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 346—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3, 4, 5, and 6, and insert
"1431. When a minor has a dis-".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 913—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensasion Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1609—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1918—An act to amend the Building and Loan Association Act by amending Section 6.01 thereof, relating to withdrawals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2388—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 627—An act to amend Sections 3102, 3104 and 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—55.

NOES—George D. Collins and Elliott—2.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—55.

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891. (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13 16c of the Building and Loan Association Act. Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1831—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.30 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1832—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1835—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166 1, 166 2, 166.3, 166 4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2213—An act to add Section 50½ to the Public Utilities Act, and to add Section 1001.5 to the Public Utilities Code, relating to the location or routes of street railroads and public utility lines outside the boundaries of any city or city and county.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grant moved a call of the Assembly.

Motion carried. Time, 2.47 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Burkhalter, Collier, Dickey, Dunn, Fleury, Grunsky, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lipscomb, Niehouse, Rosenthal, Rumford, Silliman, Smith, and Waters—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3157—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lowrey, Maloney, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Brady, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Hawkins, Hollibaugh, Kelly, Lincoln, Maloney, McCollister, Meyers, Sherwin, and Thomas—20.

NOES—Babbage, Beck, Brown, Burke, Clarke, Coats, Collier, George D. Collins, Conrad, Davis, Geddes, Grunsky, Hagen, Hahn, Hansen, Henderson, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McFall, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, and Tomlinson—30.

Notice of Motion to Reconsider Assembly Bill No. 99

Mr. McCollister gave notice than on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 99 was this day refused passage.

Assembly Bill No. 71—An act to repeal Section 114 of the Business and Professions Code, and to add Section 114 to the Business and Professions Code, relating to reinstatement of licenses by persons serving in the Armed Forces.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, and 643.1, relating to the change of the name of the California Defense and Security Corps to California National Guard Reserve and to disability and death benefits for the state military forces.

Bill read third time

Motion to Amend

Mr. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after the comma, insert "of the Military and Veterans Code,".

Amendment No. 2

In line 6 of the title of said bill, after "forces", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 3, line 36, of said bill, strike out "This", and insert "SEC. 10. This"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, and adding to said act four new sections, to be numbered respectively Sections 5, 6, 7 and 8; all relating to shares and share accounts of federal savings and loan associations and said new Section 6, relating also to debts of such associations and said new Section 8, relating also to personal property held by said associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 342—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 817—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money in the security of personal and real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2391—An act to amend and renumber Section 118 and to amend Section 3515 of the Financial Code, relating to banking.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3347—An act to amend Section 18004 of, and to add Section 18004.1 to, the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McGee, Meyers, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Thomas, Tomlinson, and Mr. Speaker—41.

NOES—Coats, George D. Collins, Cooke, Davis, Grunsky, Hagen, Hansen, Henderson, and Parker—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 139—An act to amend Section 7207 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1612 BE WITHDRAWN FROM DESK, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Bill No. 1612 be withdrawn from the desk, and be re-referred to the Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 184—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—59.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 186—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—55.

NOES—Moss—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 802—An act to add Sections 29 and 30 to the Education Code, relating to electors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Stanley, and Tomlinson—55.

NOES—Thomas—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 855—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2705—An act to amend Section 6103.5 of the Government Code, relating to filing fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 748—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2050—An act to add Section 465.4 to the Vehicle Code, relating to signs at deer crossings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2206—An act to amend Section 845 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Thomas, Tomlinson, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2733—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2734—An act to amend Section 450.5 of the Fish and Game Code, relating to diving.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1500—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—54.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Thomas, Tomlinson, and Mr Speaker—49.
NOES—Gubser—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1982

Mr. Munnell asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1982, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1982

Assembly Bill No. 1982—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D Collins, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2213

At 3.43 p.m., on motion of Mr. Grant, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2213 passed by the following vote:

AYES—Babbage, Berry, Burke, Caldecott, Clarke, Cloved, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—42.

NOES—Beck, Belotti, Brown, Coats, George D. Collins, Cooke, Davis, Elliott, Gubser, Hagen, Henderson, Lowrey, McFall, Moss, Munnell, Parker, and Shaw—17.

Notice of Motion to Reconsider Assembly Bill No. 2213

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2213 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 856 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No 856 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301 5, 3301 6, 3301.7, 3301 8, 6403 5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloved, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr Speaker—52

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1605

Mr. Porter asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1605, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1605

Assembly Bill No. 1605—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Cloved, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Gubser, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—44

NOES—Dunn, Elliott, Hagen, and Henderson—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SERIES OF ASSEMBLY BILLS

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up a series of Assembly bills, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 144

Assembly Bill No. 144—An act to add Section 226 5 to the Elections Code, relating to affidavits of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Waters, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY BILL NO. 148

Assembly Bill No. 148—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Waters—51

NOES—Dunn—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 149

Assembly Bill No. 149—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Waters, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 150

Assembly Bill No. 150—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 151

Assembly Bill No. 151—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY BILL NO. 152

Assembly Bill No. 152—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 153

Assembly Bill No. 153—An act to amend Section 688 of the Elections Code, relating to oaths.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins,

Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—54.
NOES—George D Collins—1.

Bill ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY BILL NO. 156

Assembly Bill No. 156—An act to add Section 678.5 to the Elections Code, relating to precinct boards and polling places.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 157

Assembly Bill No. 157—An act to add Section 46.5 to the Elections Code, relating to circulators of petitions.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 164

Assembly Bill No. 164—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 37: By Messrs. Maloney, George D. Collins, Gaffney, Meyers, Connolly, Berry, Brady, and McCarthy—Relative to the naming of the James Lick Memorial Freeway.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 38: By Mr. McCollister—Relative to adding a new rule, to be numbered 32.5, to the Joint Rules of the Senate and Assembly, relating to advocation of legislation by certain state officers and employees.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 207
Senate Bill No. 372
Senate Bill No. 408
Senate Bill No. 417
Senate Bill No. 436
Senate Bill No. 563
Senate Bill No. 780
Senate Bill No. 781
Senate Bill No. 782
Senate Bill No. 917
Senate Bill No. 1023
Senate Bill No. 1024
Senate Bill No. 1026
Senate Bill No. 1027

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 207—An act to amend Sections 6895 and 6897 of the Public Resources Code, relating to mineral leases on public lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 372—An act to amend Section 2001 of the Government Code, relating to public officers.

Referred to Committee on Judiciary.

Senate Bill No. 408—An act to amend Section 6861 of the Harbors and Navigation Code, relating to grants of franchises and leases by river port districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 417—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 436—An act to amend Sections 2 and 5 and to repeal and add Sections 6 and 7 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity

of the forest lands of California," approved April 23, 1945 (Ch. 85, Stats. 1945), relating to forest practices.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 563—An act to add Section 19629 to the Business and Professions Code, relating to the audit of fairs receiving money from the Fair and Exposition Fund.

Referred to Committee on Agriculture.

Senate Bill No. 780—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 781—An act to amend Section 6040 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 782—An act to amend Section 6047 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 917—An act to add Section 6855 to the Public Resources Code, relating to the disposition of the proceeds of leases for the extraction of mineral deposits from state lands, other than public lands and tide and submerged lands under the jurisdiction of the State Lands Commission.

Referred to Committee on Manufacturing, Oil, and Mining Industry

Senate Bill No. 1023—An act to add Section 38304 to the Government Code, and to repeal an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities or towns to, into, and through such parks, and to acquire lands for that purpose," effective March 1, 1897, without the Governor's approval, relating to access to city parks.

Referred to Committee on Municipal and County Government

Senate Bill No. 1024—An act to add Article 5.5, comprising Sections 38750 to 38759, inclusive, to Chapter 10, Part 2, Division 3, Title 4 of the Government Code, and to repeal an act entitled "An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts," approved May 15, 1923, relating to the transfer of city waterwork systems.

Referred to Committee on Municipal and County Government

Senate Bill No. 1026—An act to add Section 6102.5 to the Government Code and to repeal Section 4295a of the Political Code, relating to fees for official services.

Referred to Committee on Judiciary.

Senate Bill No. 1027—An act to add Title 6 and Section 500048 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts specified therein.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 836
Assembly Bill No 1112

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1606

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1227

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1227, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1227

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dolwig announced that all legislative representatives, whose names were printed in the Assembly Journal on Thursday, March 22d, may secure their credentials from the office of the Legislative Auditor, this afternoon, or next week.

Mr. Brown announced that all amendments, to be proposed to the Municipal Court Bills should be presented for consideration before the Committee on Judiciary on either April 16th or 17th.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO, March 30, 1951

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: I would appreciate it very much if you would advise the Members of the Assembly that this office would be pleased to have our Dr Bowman consult with any of the members who contemplate destroying any of their records

We find in many cases that members have reports and papers in their possession which are no longer of value to them but would be of value to the Central Records Depository in completing certain files.

Sincerely,

FRANK M. JORDAN, Secretary of State

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Tomorrow, Saturday, March 31st, at 10 a.m —

Transbay Crossings Committee. Subject: The Rieber Plan. In office of Public Utilities Commission, State Building, San Francisco.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Flora Spencer, Principal; Mrs. Lena Garibaldi, guest; and the following pupils of the Madison School of Stockton: Ronnie Garibaldi, Leroy Selby, Lilia Cortopassi, and Eloise Rivera

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Santa Clara Union High School: Sharron Allen, Nancy Balcom, Floydene Baughman, Mary Bettencourt, Dolores Caldwell, Alice Cory, Dorothy Duffy, Barbie Drake, Maurine Ensley, Betty Erickson, Joyce Erickson, Anna Mae Ferrara, Josephine Ferreira, Gloria Fontana, Beverlie Gard, LaVerne Gjurovich, Marlene Gjurovich, Rita Gordon, Frances Ibach, Betty, Ishibashi, Fay Lorente, Doris Marsalli, Darlene May, Virginia Mederios, Joyce Mignano, Joyce Patnude, Jean Perry, Mary Rosendin, Charlotte Schuller, Bernadine Sereno, Mitsu Shimada, Carmen Simas, Betty Small, Lorraine Tabash, Pat Thompson, Barbara Thornberry, Gerry Vierra, and Connie Hedrick.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to W. R. Smith and C. O. Blose, teachers, and the following pupils of the Sunset School of the San Lorenzo District: Robert Anselmo, Ronald Barnes, Dominick Caloiaro, Gena Cheatham, Emma Dalton, Richard Haskell, Dorothy Hein, Linda Hook, Ronald Koss, Kenneth Lukins, Imogene McDaniels, Bernice Parker, Irma Perez, Charleen Perry, Jeanette Perry, David Pilkington, Robert Plowright, Jimmie Sexton, Robert Souza, David Stiner, Sharon Ward, Alice Welch, Melvin Welch, Sharon Wentz, Joan Weston, Gordon Wilcox, Mary Williams, Ruth Wilson, Louis Burton, Bonnie Phipps, Janis Britt, Don Covey, Wilene Wilson, Ronald Sheeley, and Carl Merrill.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Thomas Farney, Mrs. Farney, Mr. Leonard Ramont, and Mrs. Paul McManus, teachers; and the following pupils of the Ramson School of Modesto: Jeanette Nunes, Jean Glenn, Grace Schaapman, Sandra Castle, Charlotte McManus, Mary Ann Boege, Marion Levi, Marian Wheeler, Roberta Taylor, Tom Siler, David Blickenstaff, Ronald Brubaker, Ronald Ramont, Donald Mederios, Jerry Clark, Eldon Powers, Verne Heinrich, and Niel McGee.

On request of Mr. Maloney and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Pete Mondorff and Herb Karpel of the Hollywood Baseball Club.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clark Aglor of Gilroy.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Frederick E. Bauer of Sacramento, and Fred A. Krammer and Frank L. Ferguson of San Francisco.

ADJOURNMENT

At 4.22 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, April 2, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

THIRTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 2, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Rev. L. Sylvester Odom:

Our Gracious Father, Creator and Sustainer of the Universe, giver of every good and perfect gift, fount of all wisdom, source of all power, we approach Thee in this morning hour, with attitudes of penitence, praise, and thanksgiving. Penitence, when we remember how many have been our failures, how grievous have been our faults, we have not walked in Thy paths, we have not borne one another's burdens, we have not really loved one another, and yet, Thou hath loved us. So we come with praise and thanksgiving, when we remember that Thy movement towards us has always been with understanding, with compassion, with comforting care.

We invoke thy special blessings upon this august assemblage. Speak Father, to these chosen representatives of the people of this great State. Give to them the wisdom to see the right, and the courage to do it.

We come, O Father, at a moment of great anxiety in our world. Standing yet in the shadow of the greatest war that mankind has ever known, even yet bruised and scarred by the terrible realities of total warfare, we have not found a formula for peace. Lead us, O God, and those who are clothed with authority over us, from the menacing anxieties of these days to a rewarding knowledge of that "peace that surpasseth all understanding", that peace which only thou canst give.

We pray for the several peoples of the world, and most especially do we pray for the governments of our great Nation, and our great State Be with our President, be with our Governor, be with the Speaker of this body, and these elected representatives, and all those charged with the making and administering of our laws.

Forgive us our trangressions, strip us of all arrogance, false pride, and greed; cleanse our hearts of hate, and endow us with new portions of thy love; then bring us, Father, at the close of these days, to a realization of that dream of the prophets of old, and that promise which is in Christ Jesus, Life everlasting with Thee.

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Doyle, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Stewart, on motion of Mr. Rosenthal.

Mr. Butters, on motion of Mr. Rosenthal.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

BRANCH 39, NATIONAL ASSOCIATION OF POSTAL SUPERVISORS
LOS ANGELES, CALIFORNIA, March 31, 1951

Chief Clerk of the State Assembly
State Capitol, Sacramento 14, California

DEAR SIR: It was with pleasure that we heard of the passing by the State Legislature of Assembly Joint Resolution No. 16, which was read at regular meeting of Branch 39, National Association of Postal Supervisors, held on March 24th.

The members of Branch 39 instructed me to write and thank the Members of the State Legislature for their action in passing Assembly Joint Resolution No. 16 as we think it will be of great assistance in securing enactment by Congress of deserving and beneficial legislation providing for an increase in our present inadequate salaries.

Sincerely,

BLAINE DRISCOLL, Recording Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 39	Assembly Bill No. 740
Assembly Bill No. 502	Assembly Bill No. 840
Assembly Bill No. 555	Assembly Bill No. 1250
Assembly Bill No 656	Assembly Bill No 1719
Assembly Bill No. 739	Assembly Bill No. 2063

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 63
Assembly Bill No 346
Assembly Bill No. 348
Assembly Bill No 2790
Assembly Bill No 2900

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 272
Assembly Bill No. 636
Assembly Bill No. 638
Assembly Bill No 742

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 123
Assembly Bill No. 170
Assembly Bill No. 271
Assembly Bill No. 291
Assembly Bill No. 616
Assembly Bill No. 637
Assembly Bill No. 639
Assembly Bill No. 640
Assembly Bill No. 641
Assembly Bill No. 642
Assembly Bill No. 1107
Assembly Bill No. 1123
Assembly Bill No. 1617
Assembly Bill No 1666
Assembly Bill No. 1668
Assembly Bill No. 1691
Assembly Bill No. 1859
Assembly Bill No. 1860
Assembly Bill No 2507
Assembly Bill No. 2508
Assembly Bill No 2791
Assembly Bill No. 2855
Assembly Bill No 2856
Assembly Bill No. 2857
Assembly Bill No 2859
Assembly Bill No. 2860

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred.

Assembly Bill No. 543

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LEVERING, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 104
Assembly Bill No. 404

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEVERING, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3290

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

Bill read second time, and ordered engrossed

Assembly Bill No. 608—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2012—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Bill read second time, and ordered engrossed.

Assembly Bill No. 33—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290 7, 21292.7, and 21363 7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read second time, and ordered engrossed.

Assembly Bill No. 455—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 652—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms.

Bill read second time, and ordered engrossed

Assembly Bill No. 736—An act making an appropriation to the University of California for the development of means for mass rearing of parasites for the control of red scale on citrus trees

Bill read second time, and ordered engrossed.

Assembly Bill No. 1058—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2295—An act to add Section 1005.6 to the Government Code, relating to payment of overtime to state employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2386—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2387—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," (Chapter 196 of the Statutes of 1931).

Bill read second time, and ordered engrossed.

Assembly Bill No. 2389—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2390—An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 246—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657.6, inclusive to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1645—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2793—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Bill read second time, and ordered engrossed

Assembly Bill No. 1851—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 134—An act to add Section 16271.1 to the Education Code, relating to the use of school busses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, after "busses", insert "within the county or counties in which the school district is located".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1151—An act to add Section 13236 to the Education Code, relating to teachers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, after "teacher", insert "in a regular full-time day school having two or more teachers,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "one hour", and insert "forty (40) minutes".

Amendment No. 3

On page 1, line 4, of said bill, strike out the second "period".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1705—An act to amend Section 2802 of the Education Code, relating to the formation of union elementary school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2802", and insert "Sections 2802, 3462, 3591, and 3661"

Amendment No. 2

In line 2 of the title of said bill, strike out "union elementary".

Amendment No. 3

On page 1, line 10, of said bill, after the period, insert "The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be."

Amendment No. 4

On page 1, line 16, of said bill, strike out "Provided, that no petition shall".

Amendment No. 5

On page 1 of said bill, between lines 16 and 17, insert
"No petition shall".

Amendment No. 6

On page 1 of said bill, after line 18, insert

"SEC. 2. Section 3462 of said code is amended to read.

3462. A majority of the *registered* electors residing in each of two or more contiguous school districts in the same county, having an average daily attendance in the aggregate in the elementary schools of 100 pupils or more, may unite in a petition to the superintendent of schools of the county, for the formation of a union high school district under a name specified in the petition *The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be* If the aggregate average daily attendance is less than 100 pupils, a union high school district may be formed pursuant to this article with the written approval of the State Board of Education The superintendent of schools shall, within 20 days after receiving the petition, verify the signatures thereto, and if he finds them sufficient, call an election for the determination of the question. He shall appoint three qualified electors in each of the districts petitioning, to conduct the election

No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year.

SEC 3. Section 3591 of said code is amended to read.

3591. A majority of the *registered* electors residing in an elementary school district or union elementary school district having 600 or more units of average daily attendance in the elementary or union elementary schools of the district as shown by the last reports of the teachers in the district and a total assessed valuation of at least eight million five hundred thousand dollars ($8,500,000) which is a part of any high school district, as shown by the affidavits of one or more of the petitioners, may present to the superintendent of schools having jurisdiction over the elementary or union elementary school district, a petition asking for the organization of a high school district to be composed of the district represented in the petition, specifying in the petition the name of the proposed high school district. *The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be* The county superintendent of schools shall within 20 days after receiving the petition verify the signatures to the petition. If he finds them sufficient he shall submit the petition to the State Board of Education for approval

No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year

SEC. 4. Section 3661 of said code is amended to read:

3661 A majority of the *registered* electors residing in each of two or more elementary school districts having in the aggregate 500 or more units of average daily attendance in the elementary schools, as shown by the last reports of the teachers in the districts, and having a total assessed valuation of at least five million dollars ($5,000,000), and lying two and one-half miles or more from any public high school building by the nearest traveled road, which elementary school districts or a majority thereof are (a) a part of one or more union or joint union high school districts of the county, as shown by the affidavits of one or more of the petitioners, or (b) a part of a city high school district, and no part of which is included in any city, except a city of the sixth class, as shown by the affidavits of one or more of the petitioners, may present to the superintendent of schools who has jurisdiction over the elementary school districts, or a majority of them, a petition asking for the organization of a union high school district, or joint union high school district, as the case may be, to include all of the elementary school districts represented in the petition. The petition shall specify the name of the proposed union or joint union high school district *The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be* The county superintendent of schools shall, within 20 days after receiving the petition, verify the signatures and, if he finds them sufficient, submit the petition to the State Board of Education for approval

No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1726—An act to add Sections 13560 and 13085.1 to the Education Code, relating to certificated employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 and 14, and insert "alent to the average number of hours per week which he has served during his probationary years In no case".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2930—An act to amend Sections 4663, 4911, 4911 1, 4912, and 4912 2 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4911,"

Amendment No. 2

In line 2 of the title, of said bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 12, inclusive

Amendment No. 4

On page 1 of said bill, strike out line 13, and insert
"SECTION 1 Section 4911 1 of the Education Code is amended to read "

Amendment No. 5

On page 2, line 3, of said bill, strike out "SEC 3", and insert
"SEC 2"

Amendment No. 6

On page 2, line 23, of said bill, strike out "SEC 4", and insert
"SEC 3"

Amendment No. 7

On page 2, line 26, of said bill, after "district", insert "the county committee shall determine whether".

Amendment No. 8

On page 2 of said bill, strike out lines 28 to 32, inclusive, and insert "be held only in said territory The county super-".

Amendment No. 9

On page 2 of said bill, strike out line 34, and insert "as determined by the county committee"

Amendment No. 10

On page 2, line 35, of said bill, strike out "SEC. 5", and insert
"SEC 4"

Amendment No. 11

On page 2 of said bill, strike out line 36, and insert
"4663 Upon approval of the county committee, one or more contiguous elementary or high school"

Amendment No. 12

On page 2, lines 38 and 39, of said bill, strike out ", without first withdrawing,".

Amendment No. 13

On page 2, line 47, of said bill, after the period, insert "The annexation of such elementary or high school district or districts, or portions thereof, to a unified school district may be effected without such elementary or high school districts or portions thereof first withdrawing from an elementary or high school district of which it is a part."

Amendment No. 14

On page 2 of said bill, after line 51, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Under the existing law, there is no method by which a portion of a city district may be withdrawn and annexed to a unified school district. Under the existing law, a contiguous elementary or high school district, or a portion thereof, may not be annexed to a unified school district without first withdrawing from any elementary or high school district of which it is a part. This act would eliminate delay in annexations to a unified school district by allowing annexations in all such cases without the initiation of withdrawal proceedings

It is therefore necessary that this act take effect immediately in order for unified school districts to make plans for necessary new sites and buildings, based on the new boundaries, rather than the present boundaries, of the district, so that the schools built in the unified district through the state school building aid program will be situated so as to serve the needs of the reorganized district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 665—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 27, of the printed bill, after the period, insert "Such proposed ordinance shall be submitted to the department only by action of the local legislative body and the proposed ordinance shall be submitted in complete draft form."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1271—An act to amend Sections 420, 421, 422, 422 3, and 422 5 of the Vehicle Code, relating to financial responsibility.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

Beginning with page 4, line 29, of the printed bill, change Sec 5 to read

"422 5. Insurance Policy or Bond. *(a)* Exemption may be established under Section 422 by filing with the department satisfactory evidence

[(a)] *(1)* That the owner had an automobile liability policy or bond in effect *at the time of the accident* with respect to the driver or the motor vehicle involved in the accident, unless it is established that at the time of the accident the motor vehicle was being operated without the owner's permission, express or implied, or was parked by a driver who had been operating such vehicle without such permission Any such policy or bond shall meet the requirements of Section 422 6

[(b)] *(2)* That the driver of the motor vehicle involved in the accident, if he was not the owner of such motor vehicle, had in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him which policy or bond shall comply with the requirements set forth under Section 422.6.

[(c)] *(3)* That such liability as may arise from the driver's operation of the motor vehicle involved in the accident is, in the judgment of the department covered by some form of liability insurance or bond which complies with the requirements set forth under Section 422.6.

(b) Such evidence shall be submitted in conformance with the requirements of subdivision (c) of Section 422.6. In the event of notice to the department by the company which issued one of the above stated policies or bonds that coverage was not in effect or that liability was denied for a specific accident due to violation of exclusions, endorsements, or conditions of said policy or bond, then said policy or bond shall not operate to establish an exemption as provided for by Section 422."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 23, 1951, after "employees", insert ", and making an appropriation"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive.

Amendment No. 3

On page 1, line 5, of said bill strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 2 of said bill, following line 42, insert

"SEC. 2. There is hereby appropriated from the General Fund in the State Treasury the sum of two hundred eighty-two thousand dollars ($282,000) in augmentation of Item 153 of the Budget Act of 1951 for support of the Department of Justice to carry out the provisions of this act."

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 1093—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 16, of the printed bill, following "Item", insert "19"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 24, of the printed bill, strike out "1951", and insert "1950".

Amendment No. 2

On page 2 of said bill, between lines 26 and 27, insert

"SEC. 2. This act is declaratory of and makes no change in the existing law, and, in particular, is applicable in respect to any property tax which became a lien on the first Monday in March of 1951."

Amendment No. 3

On page 2, line 27, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 2 of said bill, strike out lines 32 to 36, inclusive, and insert

"Unless this act becomes operative prior to its normal effective date, persons in the Armed Forces now engaged in the Korean conflict who are qualified for the veterans' exemption may be prejudiced in their right to the exemption in regard to the fiscal year commencing July 1, 1951, and ending June 30, 1952, and those participating in the administration of our Property Tax Law may be uncertain as to the eligibility of persons in such conflict to the exemption for that year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1649—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert

"The statement need not be under oath, but shall contain, or be verified by, a written declaration that it is made under the penalties of perjury.

SEC. 2. This act shall take effect only if an amendment to Section 8 of Article XIII of the Constitution, relating to the filing of property tax returns under the penalties of perjury, proposed at the 1951 Regular Session of the Legislature, is adopted by the voters, and in such case this act shall take effect at the same time such amendment takes effect."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1650—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, after line 17, insert

"SEC. 3. This act shall take effect only if an amendment to Section 3 of Article XIII of the Constitution, relating to description of property for assessment, proposed

at the 1951 Regular Session of the Legislature, is adopted by the voters, and in such case this act shall take effect at the same time such amendment takes effect."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Except as otherwise provided herein", and insert "Except in the case of fraud, intent to evade this part or authorized rules and regulations, failure to make a return, or claim for additional amount pursuant to Section 6563"

Amendment No. 2

On page 1, line 11, of said bill, strike out "fraud, intent to evade this part"; and in line 12, strike out "or authorized rules and regulations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15725, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "15725", and insert "15716".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "15725", and insert "15716".

Amendment No. 3

On page 2, line 29, of the printed bill, strike out "by the board".

Amendment No. 4

On page 2, line 35, of the printed bill, strike out "as follows: (a)".

Amendment No. 5

On page 2, line 37, of the printed bill, after "Code,", strike out the remainder of that line and all of lines 38 and 39, and insert "or the corresponding sections of the Financial Code."

Amendment No. 6

On page 2, line 40, of the printed bill, strike out "In making", and insert "Whenever the State makes".

Amendment No. 7

On page 2, line 41, of the printed bill, after "savings bank", insert "as provided by Section 15712,".

Amendment No. 8

On page 2, line 43, of the printed bill, strike out "consult with an officer"; and strike out lines 44 to 49, inclusive, and insert "determine the amount in the Taxpayers Deposit Fund available for investment, notifying the Department of Finance accordingly. Thereupon the amount so made available shall be invested or reinvested by the Department of Finance. To that end the Department of Finance is authorized and directed to file claims against the Taxpayers Deposit Fund to effect the purchase of such property, to sell such property, to deposit the proceeds of the sales thereof in said fund and, within the limits of the amount available for investment, to reinvest the proceeds so deposited. The department shall inform the board with respect to all such transactions at the time of their consummation."

Amendment No. 9

On page 2, line 52, of the printed bill, after "therefor", insert "to the Department of Finance, furnishing a copy thereof".

Amendment No. 10

On page 3 of the printed bill, strike out lines 7 to 52, inclusive

Amendment No. 11

On page 4, line 1, of the printed bill, strike out "15725", and insert "15716".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2506—An act to amend Section 29191 of the Government Code, relating to district budgets, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", and declaring the urgency of this"; and strike out line 3 of the title

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 26, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2903—An act to amend Sections 2617, 2618, 2619, 2704, and 2705, and to add Section 2705.5 to the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2618, 2619, 2704, 2705," and insert "2619, and 2704 of,"

Amendment No. 2

In line 2 of the title of said bill, after "to", insert a comma

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 10, inclusive

Amendment No. 4

On page 1, line 11, of said bill, strike out "3", and insert "2"

Amendment No. 5

On page 1, line 13, of said bill, strike out "April 10th", and insert "April 20th".

Amendment No. 6

On page 1, line 16, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 1 of said bill, strike out lines 21 to 25, inclusive.

Amendment No. 8

On page 2, line 1, of said bill, strike out "6", and insert "4".

Amendment No. 9

On page 2, line 3, of said bill, strike out "April 10th", and insert "April 20th".

Amendment No. 10

On page 2 of said bill, strike out lines 5 to 32, inclusive; and strike out all of page 3, and insert

"SEC. 5. The provisions of this act are operative only as to taxes which become a lien on property on or after January 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1285—An act to add Section 60 to, and to amend Section 710 of, the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "that such excess weight does not exceed the weight of the device.", and insert "*that whenever any load weight exceeds the maximum specified in this code the weight of the device shall first be deducted from any excess weight before a penalty for excess load weight is imposed.*"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1855—An act to amend Section 678 of the Vehicle Code, relating to tire equipment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 5, of the printed bill, after "nor", insert "to pneumatic tires which may have embedded therein wire not to exceed .075 inches in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed 5 percent of the total tire area in contact with the roadway; provided, however, that during the first 1,000 miles of use or operation of any such tires the metal in contact with the roadway may exceed 5 percent of such area but shall in no event exceed 20 percent of such area".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2317—An act providing for the reversion of certain unused funds appropriated for expenditure by the Department of Public Works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out "providing for the reversion of certain unused funds appropriated for expenditure by the Department of Public Works.", and insert "to add Section 1.6 to "An act to provide for approaches to the Golden Gate Bridge and making an appropriation relating to public bridges and highways," approved July 18, 1945, being Chapter 1505 of the Statutes of 1945, relating to approval of projects to be constructed pursuant to said act."

Amendment No. 2

On page 1, line 1, of said bill, strike out "All of the funds transferred to the State", and insert "Section 1.6 is added to the act cited in the title hereof, to read:

Sec. 1.6. After the effective date of this section the Golden Gate Bridge and Highway District shall not enter into a contract or agreement with the Director of Finance or the Director of Public Works for the construction of any project pursuant to Sections 1 or 1.5 of this act, unless it is an approved project. For the purposes of this section, an approved project is one which has been approved by a majority vote of each of the boards of supervisors of the counties comprising the Golden Gate Bridge and Highway District, or approved by law."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3099—An act to amend Section 697.1 of the Motor Vehicle Code, relating to length of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, following "Busses", strike out "in Urban or Suburban", and insert a period.

Amendment No. 2

On page 1, line 4, of said bill, strike out "Service".

Amendment No. 3

On page 1, line 7, of said bill, following "thereof", strike out "when operated in urban", and insert a period.

Amendment No. 4

On page 1, line 8, of said bill, strike out "or suburban service".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1947—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, strike out line 12, and insert

"(b) A motorcycle, either publicly or privately owned, operated by a police or traffic law enforcement officer in enforcing the provisions of this code.

(c) A motor vehicle, either publicly or privately owned, operated by a state or county forest ranger, or a fire warden on salary and directly in charge of fire protection work upon behalf of the State or in any county, or the chief or assistant chief of an organized fire department, in responding to emergency fire calls

(1) A vehicle, privately owned, operated by the chief or other authorized member of an organized fire department in responding to emergency calls in connection with lifesaving or other public purposes, not connected with fire calls.

(2) A permit must be obtained from the Chief of the California Highway Patrol in respect to any privately owned vehicle referred to in subsection (c) and when any such privately owned vehicle is not at the time engaged in responding to an emergency fire call or in connection with lifesaving or other public purposes any siren thereon must be disconnected and any red front lights must be covered.

(d) Any fire fighting equipment designed and operated exclusively as such by an oil company and used in responding to emergency fire calls and in combating fires.

(e) When used in responding to emergency calls, any privately owned ambulance, specially constructed and maintained exclusively for ambulance purposes, authorized by permit issued by the Chief of the California Highway Patrol, and any publicly owned ambulance.

(f) An emergency repair vehicle of a utility or public utility, whether privately, municipally or publicly owned, used in responding to emergency calls when authorized by the Chief of the California Highway Patrol.

(g) Any fire fighting equipment, emergency wrecking equipment or emergency repair equipment, owned and operated by a bridge and highway district for the purpose of extinguishing fires, removing wrecked motor vehicles, caring for injured persons, or repairing damaged lighting, or electrical equipment, of such bridge and highway district, when such vehicles are responding to emergency calls.

(h) A motor vehicle, owned by the State, and operated by a regularly employed special agent, investigator, or inspector of the Department of Justice in the performance of his duties."

Amendment No. 2

On page 1 of said bill, strike out line 28, and insert

"1 When such vehicle has a permit from the Chief of the California Highway Patrol

2 When said vehicle has affixed to the license plates thereon distinguishing signs of a type approved by the Chief of the California Highway Patrol and when said signs are so located as to be plainly visible at a distance of not less than 50 feet from the front and rear of said vehicle

3 Where said person operates such vehicle so owned by him in responding to emergency calls or fire alarms or in street or highway patrol duty, or operates such vehicle in the pursuit of actual or suspected violators of the law

4 When the State, city, or any city and county, or any county does not furnish to such sheriff, constable, deputy sheriff marshal or deputy marshal of a municipal court, or any member of a police department, a publicly owned vehicle for the purpose above stated

5 Whenever such vehicle is being used for purposes other than those specifically authorized herein, the siren must be disconnected and the red lights covered Any violation of this provision shall constitute a misdemeanor and the permit granted hereunder shall be revoked"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

Assembly Bill No. 245—An act to amend Section 4656.4 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation.

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 2152.5 to,"

Amendment No. 2

In line 2 of said title of said bill, after "distribution", insert "and computation"

Amendment No. 3

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 2152.5 is added to said code, to read

2152.5. Notwithstanding the provisions of any other section of this code, if so ordered by resolution of the board of supervisors of any county, adopted prior to the time the county auditor is required to compute and enter on the secured roll the respective amounts due in installments as taxes for the assessment year in which such resolution shall become effective, the county auditor shall reject any fraction of a cent in the computation of taxes on any assessment.

The provisions of this section shall continue in effect in such county until otherwise ordered by resolution of the board of supervisors."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 247—An act to amend Sections 4653.8, 4656.8, and 4657 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 11, of the printed bill, after "penalties", insert ", except where collected on funds for which the county treasury is not the official depository,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2787—An act to amend the article heading of Article 2, Chapter 1, Part 6, Division 1, and Sections 3356, 3391, 3396, 3398, and 3403 and to repeal Sections 3392, 3393, 3394, 3395, 3397, 3399, 3400, and 3401, of the Revenue and Taxation Code, relating to real property taxation and the publication of delinquent lists.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 18, of the printed bill, after "3391.", insert "In each county having more than one million population,".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 734—An act to provide for the registration of aircraft by the State, the collection of registration fees therefor and the disposition of such registration fees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 6, of the printed bill, after "carrier", insert "or foreign air carrier"

Amendment No. 2

On page 2, line 7, of said bill, strike out "subdivision", and insert "subdivisions".

Amendment No. 3

On page 2, line 7, of said bill, after "(2)", insert "or (19)".

Amendment No. 4

On page 2, line 11, of said bill, after "certificate", insert "or permit issued"

Amendment No. 5

On page 7, line 38, of said bill, strike out the comma; and strike out lines 39 to 41, inclusive, and insert "at the close of each preceding calendar quarter, after the expenditures authorized by Section 51 have been made, shall, on order of the State Controller, be transferred quarterly in January, April, July, and October of each year, to the California Aeronautics Fund, which fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 735—An act to add Part 6.5 to Division 2 of the Revenue and Taxation Code, relating to licensing aircraft, creating the Aircraft License Fee Fund and making an appropriation of the moneys therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Assembly on March 26, 1951, after "carrier", insert "or foreign air carrier"

Amendment No. 2

On page 2, line 12, of said bill, strike out "subdivision", and insert "subdivisions"

Amendment No. 3

On page 2, line 12, of said bill, after "(2)", insert "or (19)".

Amendment No. 4

On page 2, line 16, of said bill, after "tificate", insert "or permit issued"

Amendment No. 5

On page 6, line 25, of the printed bill, strike out "and cities"

Amendment No. 6

On page 6, lines 51 and 52, of the printed bill; and on page 7, lines 1 and 2, strike out "development of aviation and airport facilities for aircraft not operated by an air carrier in air transportation under a certificate issued therefor by the Civil Aeronautics Board of the United States" and insert "sponsor's share of eligible airport costs

as defined in the Federal Airport Act of 1946 and current regulations for the administration of that act as issued by the Administrator of Civil Aeronautics and published in the Federal Register; provided that no proceeds from this chapter may be used for the construction or improvement of airports or facilities that are designed or intended primarily for the use of air carrier aircraft operating under a certificate issued therefor by the Civil Aeronautics Board of the United States."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 804—An act to amend Section 53250 of the Government Code, relating to firemen's vacations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out the period, and insert "; and a leave of absence from active duty with full pay on each of the following specified holidays. New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Admission Day, Columbus Day, Armistice Day, Thanksgiving Day, Christmas Day. In lieu of leave of absence from active duty with full pay on any of the above specified holidays each regular or permanent member of the department may be required to work on such holiday but shall receive in addition to all other compensation one and one-half times his regular full time pay for such holiday so worked."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

SECOND READING OF SENATE BILLS

Senate Bill No. 57—An act to repeal Section 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved by the Governor July 17, 1947, relating to property under the control of the Sixth District Agricultural Association which is used for housing

Bill read second time, and ordered to third reading.

Senate Bill No. 867—An act to add Section 15427 to the Revenue and Taxation Code, relating to the specific exemption allowable under the Gift Tax Law.

Bill read second time, and ordered to third reading.

Senate Bill No. 752—An act to add Section 13808 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Under the existing law it is not clear whether the governing boards of all school districts have the power to increase the salaries of certificated employees of the district at any time. This act would authorize the governing boards of all districts to do so if the board so provides in its rules or by provision in the contracts of employment. Certificated employees must be notified by the governing boards of their reemployment for the next school year not later than May 15th. In order to encourage certificated employees to continue their employment with the school districts next fall rather than seeking jobs in defense industries which are rapidly expanding as a result of the national emergency, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 740 re-referred to the Committee on Ways and Means.

Assembly Bill No. 502 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 840, 1719, and 555 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 656 and 739 re-referred to the Committee on Education.

Assembly Bills Nos. 39, 1250, and 2063 re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1057?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "4", and insert "5 of Title 2".

Amendment No. 2

On page 1, line 2, of said bill, strike out "4", and insert "5 of Title 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1057 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 1057 ordered enrolled.

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1606?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "A", and insert "Subject to the approval of the Director of Education, a"

Amendment No. 2

On page 1, line 8, of said bill, strike out "subject to the approval of the Director of Education".

Amendment No. 3

On page 1, lines 3 and 4, of the printed bill, as amended in the Senate on March 26, 1951, strike out "Subject to the approval of the Director of Education, a", and insert "A"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1606 by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—43

NOES—Babbage, Burke, Collier, Conrad, Erwin, Geddes, Gubser, Hansen, Kirkwood, Lanterman, Levering, Maloney, McFall, McGee, Parker, and Sherwin—16

Assembly Bill No. 1606 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 12.09 thereof, relating to leases on office premises, Section 13.13 thereof, relating to powers of the Building and

Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12 13, relating to activities limited to the principal office or branch of an association

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 768—An act to amend Section 6103 of the Government Code, relating to fees for official services.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke Cloyed, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—59

NOES—None.

Bill ordered transmitted to the Senate

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr Grunsky asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2790, and that he be recorded as voting "Aye."

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 346—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, and 643.1, relating to the change of the name of the California Defense and Security Corps to California National Guard Reserve and to disability and death benefits for the state military forces.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Grant asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Assembly Bill No. 2900, and that he be recorded as voting "Aye".

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—70.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 445—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky Gubser, Hahn Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, and Thomas—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2796—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2632 inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—61

NOES—Dolwig, Geddes, Gubser, Kilpatrick, and McCarthy—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 2015—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—71

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—71

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2675—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualifications for admittance to examination

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2694—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen Hahn Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2623

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2623, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2623

Assembly Bill No. 2623—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2005 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 2005 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 123—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—65.

NOES—Evans, Geddes, Lowrey, Luckel, and Silliman—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 170—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read third time.

Speaker Pro Tempore Presiding

At 11.30 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. McGee, Evans, Levering, Hansen, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 170.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, George D Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Mr. Speaker—41

NOES—Babbage, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Fleury, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, and Tomlinson—32

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11 35 a m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Joint Resolution No. 19—Relative to the continued propagation of the natural resources of the State with respect to dams constructed by the Bureau of Reclamation;

Assembly Joint Resolution No. 22—Relative to continuing the 27½ percentage depletion rate for oil producing properties in the Internal Revenue Code;

Assembly Joint Resolution No. 24—Relative to assistance in continuing availability of trained manpower in agricultural aviation;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the second day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 559—An act to amend Sections 17003, 17010, 17019.7, 17058, 17059, 17102 2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318 4, 17318 7, 17320 5, 17322 5, 17322 9, 17322.11, 17324.2, 17324 3, 17327, 17330.1, 17330 3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504, 17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560 9, 17565, 17569, 17672, 17685, 17687, 17725, 17743 1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581, 18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053 3, 19056, 19057, 19058, 19059, 19060, 19061, 19061 1, 19062, 19062 1, 19062 2, 19062 3, 19062 4, 19062 5, 19062 6, 19062 7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19251, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of April, 1951, at 11 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 573—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k,

24121o. 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b, 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 25731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, and 31 of, and to add Sections 12.1, 12.2, 13.1, 16, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1112—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of April, 1951, at 11 a.m.

BURKE, Chairman

ANNOUNCEMENT

Speaker Sam L. Collins announced a luncheon meeting of the Pals Club, at noon tomorrow, Tuesday, April 3d, at the Capitol Inn.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Burkhalter, Cooke, Elliott, Hawkins, and Kilpatrick—5

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, March 26, 1951; Tuesday, March 27, 1951; Wednesday, March 28, 1951; Thursday, March 29, 1951; and Friday, March 30, 1951 were approved as corrected by the Minute Clerk.

RECESS

At 11.45 a.m , on motion of Mr. Dickey, the Assembly recessed until 1 45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER . Your Committee on Legislative Procedure has examined .

Assembly Bill No. 1080

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER . Your Committee on Legislative Procedure has examined .

Assembly Bill No. 33	Assembly Bill No. 1647
Assembly Bill No. 246	Assembly Bill No 1851
Assembly Bill No. 297	Assembly Bill No. 2012
Assembly Bill No. 455	Assembly Bill No 2295
Assembly Bill No. 608	Assembly Bill No. 2386
Assembly Bill No. 652	Assembly Bill No 2387
Assembly Bill No 736	Assembly Bill No 2389
Assembly Bill No 1058	Assembly Bill No 2390
Assembly Bill No 1645	Assembly Bill No 2793

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

MEMBERS EXCUSED

At 1 46 p m , Mr Fleury asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere

At 1 47 p m , Mr. Henderson asked for, and was granted, unanimous consent that Mr Coats be excused, for the balance of the legislative day, because of legislative business elsewhere

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1123—An act to amend Section 5006 of the Education Code, relating to bonding school district employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Grant, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—50

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1691—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lauterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, and Waters—60

NOES—Babbage and Hinckley—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3240

Mr George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3240, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 3240

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, and 10053 of the Education Code, relating to courses of study.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 29, 1951, after "State", insert "and in the State Legislature for the members thereof"

Amendment No. 2

On page 1, line 15, of said bill, after "institutions," insert "and in the State Legislature for the members thereof,".

Amendment No. 3

On page 1 of said bill, after line 22, insert
"The following shall be required reading:
The Declaration of Independence
The Federalist
Jefferson's Second Inaugural Address
Lincoln's Second Inaugural Address
Story on the Constitution
Bryce's "American Commonwealth" (especially the passages on State Legislatures)
Lincoln Steffens' Autobiography
"Our Sovereign State" by Allen and Others
The Philbrick Report."

Amendments read.

Ruling by Speaker

Speaker Sam L Collins ruled the amendments not in order.

The question being on the passage of Assembly Bill No. 3240.

Demand for Previous Question

Messrs. Doyle, Silliman, Kelly, Connolly, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3240.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. McGee asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 3240, and that he be recorded as voting "Aye".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1859—An act to amend Sections 5058 and 5105.1 of, and to add Section 5103.1 to, the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1860—An act to amend Section 5103 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 616—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 271—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers, and deputy probation officers

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1617—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 1668—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1666

Mr Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1666, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1666

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "31026", and insert "31030".

Amendment No. 2

On page 1, line 1, of said bill, strike out "31026", and insert "31030".

Amendment No. 3

On page 1, line 3, of said bill, strike out "31026", and insert "31030"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 637, 639, 640, 641, 642, 2791, 636, 638, AND 742 HOLD PLACES ON FILE

Mr Evans asked for, and was granted, unanimous consent that Assembly Bills Nos. 637, 639, 640, 641, 642, 2791, 636, 638, and 742 be passed on file, and hold their places on file on the next legislative day

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2508, 2855, 2856, 2857, 2859, AND 2860 HOLD PLACES ON FILE

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bills Nos. 2508, 2855, 2856, 2857, 2859, and 2860 be passed on file, and hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1852

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1852, passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1852

Assembly Bill No. 1852—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1028

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1028, passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1028

Assembly Bill No. 1028—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2213 WAIVED

Mr. Hagen waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2213 was passed.

Assembly Bill No. 2213 ordered transmitted to the Senate

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 434 WAIVED

Mr. Beck waived his notice of motion to reconsider the vote whereby Assembly Bill No 434 was passed.

Assembly Bill No. 434 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 420 CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote whereby Assembly Bill No. 420 was passed, be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10.5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson Waters, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments.

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the comma, and insert "and"

Amendment No. 2

On page 1, line 7, of said bill, strike out ", and directed"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1031—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1031:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 27, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1031, "An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America, providing for the disposition of interest earned or other increment derived from such investments, making an appropriation; and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This measure authorizes the Director of Finance to invest moneys received by the State from lessees of tide and submerged lands pursuant to stipulations between the State of California and the United States In order that interest may be earned on this impounded money this act should take effect at the earliest possible date

I therefore recommend consideration of Assembly Bill No 1031 as an emergency measure

Respectfully submitted,

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 94—An act to amend Sections 32127 and 32130 of the Health and Safety Code, relating to hospital districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2082—An act to add Section 1142 to the Revenue and Taxation Code, relating to the taxation of vessels

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—54

NOES—Babbage, Beck, Davis, Dunn, Hinckley, Kirkwood, Lanterman, and Lowrey—8.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT VISITING STATE SENATORS BE PERMITTED TO SIT ON FLOOR OF ASSEMBLY

Mr. Maloney asked for, and was granted, unanimous consent that visiting State Senators from Colorado, the Hon. Ben Bezoff and the Hon. Lawrence M. Henry, both of Denver, be permitted to sit at his desk, on the floor of the Assembly, at this time

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 20

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 20, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 20

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 472

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take Assembly Bill No. 472, temporarily passed on file out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 472

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2672—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 146—An act to amend Section 3924 of the Elections Code, relating to ballots.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 93—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 37—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Fleury asked for, and was granted, unanimous consent that his vote be changed on the roll call on Senate Concurrent Resolution No 37, and that he be recorded as voting "Aye".

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2171

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 582
Assembly Bill No. 602

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 51: By Mr. Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures presented to the Legislature.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENT

Mr. Babbage announced, on behalf of Mr. Stanley, a breakfast meeting, and Republican Caucus at 7.30 a.m. tomorrow morning, Tuesday, April 3d, at Hart's Restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3.30 p.m.—

Rules, in Room 320.

At 4 p.m.—

Social Welfare Interim Committee, in Room 430

At 7 p.m.—

Executive meeting, Special Joint Committee to Study the Old Age Assistance Initiative Measure, in Room 430.

At 8 p.m.—

Finance and Insurance, in Room 432.

Today Upon Adjournment—

Boards and Commissions, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs E. M. McMurry of Alameda.

On request of Speaker Sam L Collins and Mr Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Senator Ben Bezhoff and Senator Laurence M. Henry of Denver, Colorado.

On request of Messrs. Babbage and McGee, the usual courtesies of the Assembly for this day were unanimously extended to Moulton Phillips of Riverside.

On request of Mr. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Laurence Mana of San Francisco.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Robert J. Bernard and Alex Rogers, teachers; and the following pupils of the Napa Union High School: Dave Abbott, Carol Argo, Guy Anderson, Don Bryant, Meredith Brown, Barbara Brown, Clara Biava, Ann Bowman, Lorraine Bailey, Bob Combs, Marian Lee Chapman, Fred Coker, Joe Dias, Christina J. Durham, Gloria Jean Eggers, George Elicker, Rose Fitzwater, Bill Fletcher, Jack Frey, Richard Gibson, Jim Greenwell, Dorothy Hayes, Dorothy Hendry, Dan Keig, Richard Kuhn, Sally Lallement, George A. LaRocque, Roberta McDaniel, Ray Marshall, Janet Mason, Donald Meehan, Mary Carlene Nelms, Johnnie Noland, Hans Orsoe, Jeannie Oakes, Milton Poe, Bethel P. Quinnell, Robert Ruedger, Mary Moore, Jerome Van Amber, Zane Vorhes, Vernice Wachter, Frank Walton, Jan Whitney, John Rutherford, Bob Keller, Charles Williams, Joan Bradley, Betty Oliver, and Beverly Poling

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Worden, teacher; Mrs. Hazel Madsen, Director of Social Studies; and the following pupils of the

Bret Harte School of Hayward: Karl Anastas, Rodney Archer, Bill Drabble, Douglas Espy, Peter Fracisco, Victor Felmlee, Larry Garcia, Dick Griffith, Donald Walter, Stanley Hernandez, Jim Hicks, Gilbert Larrabee, John Madsen, Bob McGarry, Tim Northup, Robert Nunes, Dale Powers, Delbert Silva, Tony Toledo, Robert Wilson, Ronald Wink, Willard Stroud, Robert Pashon, Marcia Barnum, Wanda Buchanan, Gayle Conde, Shirley Crevallo, Joan Downs, Bernice Fowler, Dawn Francis, Pat Guthrie, Marilyn Hilstrom, Bonnie Marker, Barbara Mecum, Flora Rodrigues, Ludovina Silva, and Yvonne Yeager.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Paul Hunter, advisor, and the following pupils of the Winters Joint Union High School: Thelma Berry, Tom Boyce, Charles Burket, Priscilla Carrion, Murray Clark, Bill Cody, Betty Cook, Bob Cook, Joe Cuberos, Bob Donaldson, Sam Fernandez, Joe Gallardo, Carol Gray, Elizabeth Hall, Norman Halley, Alonzo Lopez, Aladdin Lorenzo, Rex Mayes, Henry Moore, Fred Mulkey, Mariano Munoz, Patty Murray, Rose Marie McKenzie, Betty Nelson, Jannes Nichols, Shasta O'Neal, Doyle Pinkston, Marjorie Potter, Manuel Ramos, Richard Ramos, Fred Rojo and Lou Anne Sparks

On request of Messrs. Davis and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Robert R. Williams of Tracy.

ADJOURNMENT

At 3.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday April 3, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY

THIRTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 3, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, Unto whom all hearts are open, all desires known, and from whom no secrets are hid; cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee, and worthily magnify Thy holy Name.

Divine Master, grant that we may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

We thank Thee for Thy divine friendship, the gift of Thy Son, our truest Friend.

"I've found a Friend: O, such a Friend,
He loved me 'ere I knew Him;
He drew me with the cords of love,
And thus He bound me to Him;
And round my heart still closely twine
Those ties which naught can sever;
For I am His and He is mine,
Forever and forever."

In Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Munnell.
Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2120

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2507

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 37
Senate Bill No. 189
Senate Bill No. 222
Senate Bill No. 268
Senate Bill No. 269
Senate Bill No. 270
Senate Bill No. 271
Senate Bill No. 552
Senate Bill No. 1106
Senate Bill No. 1171
Senate Bill No. 1172
Senate Bill No. 1173
Senate Bill No. 1258

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 189—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 222—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

Referred to Committee on Judiciary.

Senate Bill No. 268—An act to amend Sections 700.01, 700.05, 1582, 1594, 12360 and 12441 of the Insurance Code, all relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 269—An act to amend Sections 1153 and 1153.5 of the Insurance Code, both relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 270—An act to add Sections 1373.1 and 1373.2 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance

Senate Bill No. 271—An act to amend Section 1703 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 552—An act to amend Section 771 of the Probate Code, relating to surrender of stock for redemption or conversion by executors and administrators.

Referred to Committee on Judiciary.

Senate Bill No. 1106—An act to amend Section 14402 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1171—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Referred to Committee on Judiciary.

Senate Bill No. 1172—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from judgments in small claims courts

Referred to Committee on Judiciary

Senate Bill No. 1173—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Referred to Committee on Judiciary.

Senate Bill No. 1258—An act to amend Section 432 of the Agricultural Code, relating to livestock.

Referred to Committee on Agriculture

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 104—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to the benefit rights of trainees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 404—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3290—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "such", and insert "any such office or".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 543—An act to add Section 6404.1 to the Labor Code, dealing with safety devices and safeguards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "gas", and insert "or combustible material".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2171?

Amendment No. 1

In the second line of the title of the printed bill, strike out the period and insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 16, inclusive, and insert "three thousand six hundred dollars ($3,600) annually, during the term for which they are elected, payable at the rate of three hundred dollars ($300) per month.

SEC 2. It is hereby declared that this act is not intended as a change in the present law, but as a declaration of existing law, and shall apply to compensation payable to Members of the Legislature during the 1951 calendar year.

SEC 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. A statement of the facts constituting such necessity is as follows:

The approval by the people of Assembly Constitutional Amendment No. 84 at the election on November 8, 1949, increased the compensation of Members of the Legislature and thus by implication amended Section 9300 of the Government Code relating to the payment thereof. In order to provide for the regular payment of the salaries of the Members of the Legislature during this session of the Legislature and to protect their rights thereto, it is essential that the provisions of Section 9300 of the Government Code be amended immediately to conform with the provisions of the Constitution and to clarify its provisions in order to resolve any questions that may exist as to the period for which compensation is to be paid and the manner of payment."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2171 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—56.

NOES—None.

Assembly Bill No. 2171 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 1828

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1703
Assembly Bill No 2562

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2956
Assembly Bill No. 2972
Assembly Bill No. 2985
Assembly Bill No 2992

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 6
Assembly Bill No. 629

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1271
Assembly Bill No. 1705
Assembly Bill No. 2930

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2903

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 213
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 1029
Assembly Bill No 1653

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 90

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 422
Assembly Bill No. 424
Assembly Bill No. 902
Assembly Bill No. 903
Assembly Bill No. 1622
Assembly Bill No. 1793

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 423
Assembly Bill No. 618
Assembly Bill No. 635
Assembly Bill No. 663
Assembly Bill No. 707
Assembly Bill No. 837
Assembly Bill No. 901
Assembly Bill No. 904
Assembly Bill No. 905
Assembly Bill No 1192
Assembly Bill No. 1906

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 806
Assembly Bill No. 1565
Assembly Bill No. 2136

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 32

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 67

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 3083

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred

Assembly Bill No. 66
Assembly Bill No. 868
Assembly Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 292

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to third reading.

RECONSIDERATION OF ASSEMBLY BILL NO. 420 BY UNANIMOUS CONSENT

By unanimous consent, Mr. Beck's notice of motion to reconsider the vote whereby Assembly Bill No. 420 was passed was taken up, and reconsideration granted.

Assembly Bill No. 420 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL AND AS SEPARATE DOCUMENT

Mr. Evans asked for, and was granted, unanimous consent that a letter of transmittal, and a Report of the Special Subcommittee of the Committee on Public Utilities Relative to Senate Bill No 327, be ordered printed in the Assembly Journal, in 10 point type, and that said letter of transmittal and report be ordered printed as a separate document; and that 200 copies be printed.

(Above mentioned letter of transmittal, and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2508—An act to add Section 12a to the County Water Works District Act, relating to the powers of the governing boards of county water works districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2855—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2856

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2856, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2856

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 99

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 99, temporarily passed on file, out of order, at this time.

RECONSIDERATION OF ASSEMBLY BILL NO. 99

In compliance with a notice given on a previous day, Mr. McCollister moved that the vote whereby Assembly Bill No. 99 was refused passage be reconsidered.

Assembly Bill No. 99 reconsidered by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—45

NOES—Beck, Clarke, Coats, George D. Collins, Conrad, Geddes, Hansen, Klocksiem, Levering, Lowrey, McFall, Moss, Munnell, Parker, and Tomlinson—15.

Assembly Bill No. 99 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2507

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2507, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2507

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2810, on request of Mr. Lowrey.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 629, and that he be recorded as voting "Aye".

Speaker Pro Tempore Presiding

At 10 15 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 637

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 637, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 637

Assembly Bill No. 637—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 639

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 639, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 639

Assembly Bill No. 639—An act to amend Section 31560 of, and to add Section 31641 5 to, the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 640

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 640, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 640

Assembly Bill No. 640—An act to add Section 31784 to the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman,

Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 641

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 641, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 641

Assembly Bill No. 641—An act to amend Section 31627 of, and to add Sections 31469.5, 31557.5 and 31585.5 to, the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 642

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 642, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 642

Assembly Bill No. 642—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2791

Mr Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2791, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2791

Assembly Bill No. 2791—An act to amend Section 31676.7 of the Government Code, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 636

Mr Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 636, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 636

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 30, 1951, after line 19, insert "Such surviving spouse may elect in writing, before the first payment of any allowance is made, to receive in a lump sum payment all or any part of the member's accumulated additional contributions The sum so paid shall not be included in the calculation of the annuity of the surviving spouse"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 638

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 638, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 638

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 742

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 742, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 742

Assembly Bill No. 742—An act to amend Sections 31679 and 31681 of the Government Code, relating to retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 608—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 455—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1058—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2295—An act to add Section 1005.6 to the Govenment Code, relating to payment of overtime to state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2386:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2386, "An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission. As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I, therefore, recommend consideration of Assembly Bill No. 2386 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 2386—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2387:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2387, "An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled 'An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California' (Chapter 196 of the Statutes of 1931),"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission. As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I, therefore, recommend consideration of Assembly Bill No. 2387 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 2387—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," (Chapter 196 of the Statutes of 1931).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2389:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2389, "An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission. As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I, therefore, recommend consideration of Assembly Bill No. 2389 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 2389—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2390:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2390, "An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission As such it does not purport to change existing law However, the Legislative Counsel advises me that it contains a technical appropriation To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session

I therefore recommend consideration of Assembly Bill No. 2390 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2390—An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 33

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 33, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 33

Assembly Bill No. 33—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 246—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657 6, inclusive) to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb,

Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 652

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 652, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 652

Assembly Bill No. 652—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to pay the claim of Lillie M Walker against the State of California.

Respectfully submitted.

THOMAS A. MALONEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Maloney:

An act making an appropriation to pay the claim of Lillie M. Walker against the State of California.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3394: By Mr. Maloney—An act making an appropriation to pay the claim of Lillie M. Walker against the State of California.

Referred to Committee on Ways and Means

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1645—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2793—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grunsky, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—43

NOES—Babbage, Beck, Coats, George D. Collins, Condon, Hahn, Henderson, McFall, and Munnell—9

Bill ordered transmitted to the Senate.

Assembly Bill No. 1851—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1271—An act to amend Sections 420, 421, 422, 422.3, and 422.5 of the Vehicle Code, relating to financial responsibility.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 6, on motion of Mr. Chapel.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2012

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2012, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2012

Assembly Bill No. 2012—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 108

Relative to the preparation and printing of a Supplement to the Interim Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Supplement to the Interim Subject List of all bills, constitutional amendments and resolutions introduced at the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of the Supplement to the Interim Subject List be mailed to all Members of the Legislature as soon as possible after adjournment of the 1951 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Supplement to the Interim Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Maloney:

House Resolution No. 109

Relative to the preparation and printing of a Summary Digest

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Summary Digest of statutes enacted and constitutional amendments proposed at the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of the Summary Digest be mailed to all Members of the Legislature as soon as possible after the "bill-signing" period; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Summary Digest, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Maloney:

House Resolution No. 110

Relating to preprinting the proposed codes

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will continue its work of codifying the general statutory laws of this State with the prospect of completing said work prior to January 1, 1953; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1951 Regular Session of the Legislature, such codes or portions thereof as it proposes to submit to the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes, or portions thereof, printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER TO THE RULES COMMITTEE AND OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that a letter, written by him to the Committee on Rules, and an opinion from the Legislative Counsel, be ordered printed in the Journal, in 10 point type, as follows:

Letter to Rules Committee

March 19, 1951

To the Members of the Rules Committee

In response to your directive I have advised with the office of the Legislative Counsel as to the status of the Assembly Legislative Process Committee, whether the committee may employ part-time stenographers during the session and assign them to work elsewhere than the City of Sacramento.

The Assembly Legislative Process Committee is an interim committee with all the powers and duties of such committees, in addition to the specific powers and duties provided by the resolution creating the committee. The committee has a continuing existence during sessions and between sessions. It may employ stenographic and other assistants on a full time or part time basis and may direct them to perform their prescribed duties in any part of the State, either during sessions or between sessions.

The authority for the establishment of fact-finding committees by either committees by either house of the Legislature to act during sessions or after final adjournment is found in Section 37 of Article IV of the Constitution. The Assembly Legislative Process Committee was created by House Resolution No. 13 of the 1949 Regular Session and continued as an interim committee by House Resolution No. 180 of that session. The committee was continued as a committee of this session by House Resolution No. 16, adopted January 8, 1951.

Section 9127 of the Government Code provides, in part, that the Assembly Legislative Process Committee has a continuing existence during sessions and between sessions with such powers and duties as are vested in it by the Assembly and authorizes the committee to disburse money from the Assembly Contingent Fund, pursuant to the Rules, orders, and resolutions adopted by the Assembly. The committee has the same powers and duties as other interim committees as provided by the Joint Rules of the Senate and Assembly.

The first Legislative Process Committee was created by the Senate at the 1943 Regular Session Subsequent to that session both houses have created similar committees which were authorized to act either during sessions or during sessions and after final adjournment

Under date of June 25, 1935, in an opinion to Senator Sanborn Young the Attorney General expressed the view that the constitutional limitations upon expenses for legislative help, contained in Section 23a of Article IV of the Constitution, were not applicable to the employees of interim committees. This opinion has been followed without question since that time and the Legislative Counsel concurs in the opinion. The Legislative Counsel believes it is applicable to the Assembly Legislative Process Committee as well as to other interim committees.

On the question regarding employment of part time stenographers the Legislative Counsel wrote under date of December 5, 1950, stating in substance that under the resolution creating the committee it is authorized to employ such help as may be necessary; that the hours of employment, rates of compensation, and place or places where services are to be performed are left entirely to the discretion of the committee; and that Legislative Counsel found nothing in the Constitution or statutes that would prevent the employment of stenographers on a part time or full time basis during sessions or between sessions or the assignment of such stenographers to perform work at any place in the State.

RANDAL F. DICKEY, Chairman

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 2, 1951

Honorable Randal F. Dickey
Assembly Chamber

LEGISLATIVE PROCESS COMMITTEE—No. 6413

DEAR MR. DICKEY:

Question

You have asked us for our opinion as to the status of the Assembly Legislative Process Committee and have also asked whether the committee is authorized to employ stenographers on a part time basis during sessions of the Legislature and to assign them to work elsewhere than in the City of Sacramento

Opinion

The Assembly Legislative Process Committee is an interim committee which has a continuing existence. It has all the powers and duties of an interim committee as provided by the Joint Rules of the Senate and Assembly, in addition to the specific powers and duties set forth in the resolution creating the committee and as provided by Section 9127 of the Government Code. The committee is authorized to employ stenographers on a full time or part time basis, either during sessions or between sessions, and may direct them to perform their duties in any part of the State as may be required by the work of the committee.

Analysis

The Assembly Legislative Process Committee was created by House Resolution No. 13 of the 1949 Regular Session with power to act until final adjournment. The existence of the committee was continued until the commencement of the 1951 Regular Session by House Resolution No. 180.

On January 8, 1951, it was continued as an interim committee of this session by House Resolution No. 16. That resolution provides that the committee has a continuing existence hereafter during sessions and between sessions unless and until modified by Assembly action at a subsequent session. This latter provision is in accord with Section 9127 of the Government Code which specifies in part that the Assembly Legislative Process Committee has a continuing existence during sessions and between sessions with such powers, duties, and responsibilities as the Assembly from time to time shall prescribe. Section 9127 further provides that the money in the Assembly Contingent Fund shall be disbursed pursuant to, and the powers, duties and responsibilities of the Assembly Legislative Process Committee shall be as provided by, the Rules, orders, and resolutions adopted by the Assembly.

Each of the resolutions creating and continuing the committee specify that the Joint Rules of the Senate and Assembly are applicable to this committee and its members. By reason of this provision the committee has the same powers and duties as other interim committees in addition to the statutory powers and duties provided by Section 9127 of the Government Code. Rule No. 36 of the Joint Rules of the Senate and Assembly specifically authorize it to employ such clerical, legal, and technical assistance as may appear necessary.

We find nothing in any of the rules or regulations relating to this committee that purports to restrict its powers or activities in any manner different from those relating to other interim committees.

As to the question regarding employment of stenographers, it is our opinion that the committee is authorized to employ such help as may be necessary. In its discretion the committee is empowered to employ stenographers on a full time or part time basis during sessions or between sessions and to specify the hours of employment, rates of compensation, and the place or places where the services of its employees are to be performed This power is the same during sessions and between sessions and the entire matter of terms of employment and where services are to be performed is to be determined by the committee in accordance with its discretion.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

ANNOUNCEMENT

Mr. Dickey announced that the Committee on Rules has gone on record as adopting the policy of maintaining the services of part time secretaries during, and between sessions, when necessary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 582—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947;

Assembly Bill No. 602—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools;

And reports that the same has been correctly enrolled, and presented to the Governor on the third day of April, 1951, at 11 a.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 57—An act to repeal Section 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved by the Governor July 17, 1947, relating to property under the control of the Sixth District Agricultural Association which is used for housing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 867 HOLD PLACE ON FILE

Mr. Sherwin asked for, and was granted, unanimous consent that Senate Bill No. 867 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 752—An act to add Section 13808 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 134	Assembly Bill No. 1649
Assembly Bill No. 665	Assembly Bill No. 1650
Assembly Bill No. 1093	Assembly Bill No. 1726
Assembly Bill No. 1151	Assembly Bill No 1989
Assembly Bill No. 1646	Assembly Bill No 2506

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1151

Mr. Porter asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1151, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1151

Assembly Bill No. 1151—An act to add Section 13236 to the Education Code, relating to teachers

Bill read third time.

Point of Order

Mr. Silliman arose to the following point of order: That the bill carries an implied appropriation, and should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Question of Personal Privilege

Mr. Dunn arose to a question of personal privilege.

Ruling Reversed

Speaker pro Tempore Maloney reversed his ruling.

Assembly Bill No 1151 ruled properly before the House.

The question being on the passage of Assembly Bill No. 1151.

Demand for Previous Question

Messrs. Lyon, McGee, Lincoln, Doyle, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1151.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—67

NOES—Conrad, Hagen, and Lowrey—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1989

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1989, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1989

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1852

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1852, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1852

Assembly Bill No. 1852—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 28, 1951, strike out ", and to add Section 585.5 to,".

Amendment No. 2

On page 3 of said bill, strike out lines 19 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Mr. Evans announced that today, in Los Angeles, a City election is being held; that an Elections Party will be held, tonight, in Room 901, of the Hotel Senator, and extended an invitation, on behalf of the members of the Los Angeles Delegation, to all interested persons who wish to attend and listen to elections returns.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 104
Assembly Bill No 404

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO READ PORTION OF OPINION, AND THAT OPINION BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to read, at this time, a portion of an opinion from the Legislative Counsel, and that said opinion be ordered printed in the Assembly Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 1, 1951

Honorable Richard J. Dolwig
Assembly Chamber

DUTIES OF STANDING COMMITTEES UNDER STATUTE REGULATING LEGISLATIVE REPRESENTATION—No. 6493

DEAR MR. DOLWIG:

Question

You have asked if the statute regulating legislative representation or the Standing Rules of the Assembly expressly or impliedly require the

standing committees of the Assembly to ascertain whether persons appearing before them have registered under Section 9906 of the Government Code and have been issued a certificate of registration as legislative advocate.

Opinion

Neither the statute regulating legislative representation nor the Standing Rules of the Assembly require committees to ascertain whether persons appearing before them have so registered and have been issued a certificate of registration, but we believe that the scope of the inherent powers of standing committees authorizes the committees to inquire whether such persons have so registered and have been issued a certificate as legislative advocate.

Analysis

We find no provision of the statute regulating legislative representation (Chapter 8, Part 1, Division 2, Title 2, Government Code) nor any provision of the Standing Rules of the Assembly which expressly requires standing committees to investigate into the extent of a person's compliance with Section 9906 of the Government Code. Further, Section 9906 excepts from the registration requirements any person who "merely appears before a committee of the Legislature of the State of California in support of or opposition to legislation." This express exception would negate any implication in the statute that the standing committees are required to inquire of any person appearing before them whether that person has registered under Section 9906 and whether such person has been issued a certificate of registration as legislative advocate.

We do not mean to imply by this conclusion that it would be improper for standing committees to inquire whether such persons have been issued a certificate of registration or whether such persons have registered under Section 9906 of the Government Code.

Section 9909 of the Government Code provides for the issuance of certificates of registration as legislative advocate to persons registered under Section 9906 who are found by the respective houses to be of good moral character, particularly as evidenced by never having been guilty of conduct proscribed by Section 9910 of the Government Code. The certificates of registration now being issued by the respective committees serve the threefold purpose of identification of the person registered, identification of the interests which that person represents, and evidence the fact that, in the opinion of the committee issuing the certificate, the person registered has not violated the obligations of legislative representatives as prescribed by Section 9910 of the Government Code.

In order to intelligently perform their functions in holding hearings, the standing committees must necessarily have the power to inquire into the identity and interests of the persons testifying before them, and to properly evaluate that person's testimony the committee must further be empowered to inquire into the factors relating to the reliability and credibility of that person's testimony. Inasmuch as the certificate of registration provides a standard means of identification of a person and of the interests which he represents, and evidences the credibility and reliability of such person's testimony, we think that it would be entirely

proper for standing committees to ask legislative representatives appearing before them whether such persons have been issued a certificate of registration, and if such persons have not, to inquire whether they come within a class of persons which is not required to register under Section 9906 of the Government Code.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LOUIS A. BOLI III, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 856 HOLD PLACE ON FILE

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 856 be passed on file, and hold its place on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 735

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 245	Assembly Bill No. 1855
Assembly Bill No. 247	Assembly Bill No. 1947
Assembly Bill No. 734	Assembly Bill No. 2317
Assembly Bill No. 804	Assembly Bill No. 2787
Assembly Bill No. 1285	Assembly Bill No. 3099

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ANNOUNCEMENT

Mr. Beck announced a luncheon meeting and Democratic Caucus today, upon adjournment, at the Hotel Sacramento.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1285, 1855, 2317, 3099, and 1947 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 245, 247, and 2787 re-referred to the Committee on Revenue and Taxation.

Assembly Bills Nos 734, 735, and 804 re-referred to the Committee on Municipal and County Government.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Agriculture, in Room 432.

Legislative Representatives, in Room 1347.

At 3 p.m.—

Public Health, in Room 426.

Social Welfare, in Room 430.

Upon adjournment of Social Welfare Committee—

Executive meeting, Special Joint Committee to Study the Old Age Assistance Initiative Measure, in Room 430.

Elections and Reapportionment, in Room 435.

At 8 p.m.—

Fish and Game, in Room 426.

Judiciary, in Room 435.

Tomorrow, Wednesday, March 4th, at 9 a.m.—

Rules, in Room 320.

REPORT OF PUBLIC UTILITIES SUBCOMMITTEE ON SENATE BILL NO. 327

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE, April 2, 1951

Hon. John W. Evans, Chairman
and Members of Committee on Public Utilities
Assembly Chamber, State Capitol
Sacramento, California

DEAR ASSEMBLYMAN EVANS: Your special subcommittee appointed to conduct hearings on Senate Bill 327, the so-called Rural Electric Co-Operative Bill, submits its report herewith and summarizes its conclusions as follows:

This bill, which has been urged as necessary in order to permit co-operatives to finance electric distribution systems in remote areas of the State by the Federal REA, is not necessary and goes far beyond the intentions of the authors of the bill—opening a dangerous loophole in the Public Utilities Act.

Contrary to assertions that the REA will not lend money to rural electric co-operatives in California unless they were exempted from regulation by the bill, the subcommittee finds that the REA has no such policy; and, in fact, has approved loans of more than 400 million dollars to co-operatives in other states where co-operatives may be regulated by utility commissions.

The fears expressed by proponents of the bill that regulation by the California Public Utilities Commission would interfere with formation and operation of co-operatives are without foundation and the cases cited to the contrary involve co-operatives which failed to comply with state law. The actual rules and policies followed by the commission will not impair the economic feasibility of rural electrification enterprises and

enactment of the bill would amount to a vote of lack of confidence in the commission for which there is no justification.

If the co-operatives would take advantage of the provisions of existing law, they will be able to obtain all the protection which the authors of the bill said they wish to provide.

The exemption contained in the bill is not restricted to rural electric co-operatives but could be taken advantage of by anyone forming a co-operative under the Corporation Law and, if the bill were passed, such a co-operative corporation might engage in an extensive public utility business, including the generation and transmission of power, with complete freedom from supervision or regulation by the Public Utilities Commission. Such exemption would be a backward step in the regulation of public utility enterprises to serve the public welfare.

The provisions of the bill granting co-operatives the exclusive privilege of serving new customers within a designated area permit a monopoly without regulation and are in direct violation of the principle that either competition or regulation is necessary to protect the public interest

The subcommittee's hearings were extensive and the transcript of its proceedings covered 511 pages. Representatives of two rural electric co-operatives, five proposed co-operatives, two farm organizations the Federal Rural Electrification Administration, customers of the co-operatives, and three public utility companies were heard.

Respectfully submitted,

G. DELBERT MORRIS, Chairman
Public Utilities Subcommittee on Senate Bill No. 327

Report of Public Utilities Subcommittee on Senate Bill No. 327

To the Assembly Committee on Public Utilities and Corporations
John W. Evans, Chairman

At the hearing on Senate Bill No. 327 held by your committee on January 22, 1951, it was determined that proper consideration of this bill required further hearings and investigation and a motion was made, seconded and carried that a subcommittee of five members be appointed by your chairman to conduct such hearings and investigation and to report its findings to the main committee. Pursuant to this resolution G Delbert Morris, Patrick D. McGee, Bernard R. Brady, Montrivel A. Burke, and Clayton A Dills were appointed to the subcommittee and G Delbert Morris was designated to serve as chairman of the subcommittee The subcommittee held hearings at Baker on February 19, 1951, at San Francisco on February 23, 1951, and at Sacramento on March 15 and 19, 1951 The proceedings at each of these hearings were reported and transcribed and the record is submitted herewith for the files of the committee

At the Baker hearing Senator Charles Brown was present and was invited to sit with the subcommittee. Statements were made to the subcommittee by William Letcher, Regional Director of the Rural Electrification Administration; Charles F Brown, Secretary of the Death Valley

Electric Co-Operative, Inc.; William E. Smith, member of the Death Valley Co-Operative; E. John Ericksson, Attorney for Death Valley Electric Co-Operative and Providence Mountain Electric Co-Operative; Allen Arness, head of Region 9 of the Application and Loans Division, Rural Electrification Administration; William Anderson, Office of the Solicitor, Department of Agriculture; S. K Droubay, Manager, Shoshone Mines, Anaconda Copper Mining Company; Charles A. Scholl, Superintendent, Pacific Coast Borax Company; H. P. Gower, Field Engineer for Pacific Coast Borax Company; C. B. Dickey, Ranch owner in Pahrump Valley, Nevada; T R. Goodwin, Superintendent, Death Valley National Monument; James H. Francis, Tecopa Businessman; D. A. Beckman, President of the Board of Directors of Intervalley Electric Co-Operative at Inyokern; and Henry W. Coil, General Counsel of California Electric Power Company.

At the San Francisco hearing statements were made by R B. Cassidy, Assistant Chief Counsel, Public Utilities Commission; Keith L. Edgerton of the Edgerton Bros. Lumber Company, Adin, Modoc County; William A Ayres, representing the State Grange; Allen Arness of the Rural Electrification Administration; William Anderson, Office of Solicitor, Department of Agriculture; Richard W. Owens, representing the California Farm Bureau Federation; Gerald H. Hagar, Attorney for Meadow Valley Lumber Company; Fred Holland, Manager of Surprise Valley Electrification Corporation; and George Conant, Manager of the Plumas-Sierra Rural Electric Co-Operative.

At the Sacramento hearing on March 15, 1951, Assemblyman Harlan Hagen, a member of the full Committee on Public Utilities and Corporations, was present; and Senators Powers and Johnson, the authors of Senate Bill No. 327, were also present and took part in the proceedings Statements were made by Henry Coil, General Counsel, California Electric Power Company; Robert H. Gerdes, General Counsel, Pacific Gas and Electric Company; Frederick T. Searls, Attorney for Pacific Gas and Electric Company; Bruce Renwick, General Counsel, Southern California Edison Company; Father Charles Phillips; Fred Holland, Manager Surprise Valley Electrification Corporation; Allen Arness of the Rural Electrification Administration; and A. H. Nightingale, and Rupert Costo, interested in the proposed Anza Rural Electric Co-Operative. At the Sacramento hearing on March 19th, Assemblyman Hagen and Senators Powers and Johnson again took part in the proceedings. Statements were made by Von K. Ellsworth, representing the Farm Bureau Federation, and C. F. Taylor, President of the Desert Electric Co-Operative at Twenty-nine Palms.

SUMMARY OF BILL

Senate Bill No. 327 contains three major provisions:

Section 1 exempts from the Public Utilities Act and from the jurisdiction and control of the Public Utilities Commission all nonprofit co-operative corporations furnishing electric service primarily to their members or stockholders. The exemption includes any foreign, nonprofit co-operative corporation qualified to do business within California.

Section 2 of the bill forbids any public utility, municipality or nonprofit co-operative corporation to furnish electric service to any premises already receiving electric service from another supplier or which have previously received electric service from another supplier willing to resume the service unless the written consent of the other supplier is first obtained. In effect, it prevents any person from changing from one supplier of electricity to another under any circumstances whatever without the consent of the present supplier.

Section 3 of the bill sets up a procedure whereby a nonprofit co-operative corporation (including foreign corporations) may acquire the exclusive right to furnish electric service to new customers within an area shown on a map to be filed with the Public Utilities Commission. The exclusive privilege is given for an initial period of six months which may be extended to 18 months if a loan agreement is made with a federal agency It may be possible that the privilege could be indefinitely extended by re-filings

EXISTING LAW

In order to determine the scope and effect of this proposed legislation it was necessary to obtain information as to the existing law. Section 23 of Article XII of the California Constitution provides in part·

> "Every private corporation, and every individual or association of individuals, owning, operating, managing, or controlling any commercial railroad, interurban railroad, street railroad, canal, pipeline, plant, or equipment, or any part of such railroad, canal, pipe-line, plant, or equipment within this State, for the transportation or conveyance of passengers, or express matter, or freight of any kind, including crude oil, or for the transmission of telephone or telegraph messages, or for the production, generation, transmission, delivery or furnishing of heat, light, water or power or for the furnishing of storage or wharfage facilities, either directly or indirectly, to or for the public, and every common carrier, is hereby declared to be a public utility subject to such control and regulation by the Railroad Commission as may be provided by the Legislature, and every class of private corporations, individuals, or associations of individuals hereafter declared by the Legislature to be public utilities shall likewise be subject to such control and regulation."

The constitutional policy so stated is carried out by means of the Public Utilities Act which defines the term "public utilities" to include "every * * * electric corporation * * * where the service is performed for or the commodity delivered to the public or any portion thereof". Mr R. B. Cassidy, Assistant Chief Counsel of the Public Utilities Commission, testified that the status of a co-operative under the Public Utilities Act first came before the commission in the *Coos Electric Co-Operative, Inc.*, case, decided by the commission in 1944. In that decision the commission concluded that a co-operative corporation was not exempt from the Public Utilities Act merely because it was a co-operative. This conclusion was amplified in the *Mesa Electric Co-Operative* case decided by the commission in 1947 where the commission held that the nature

of a co-operative's activities and proposed activities would determine whether or not it was a public utility subject to regulation under California statutes. Neither of these cases was challenged in the courts On November 7, 1949, the Death Valley Electric Co-Operative, Inc., was granted a certificate of public convenience and necessity by the commission authorizing it to operate as a public utility within certain areas of Inyo and San Bernardino Counties On December 12, 1950, the commission decided that the Plumas-Sierra Electric Cooperative, Inc., was operating as a public utility and should file its rates and tariffs with the commission in the usual manner. The Plumas-Sierra Co-Operative has requested the California Supreme Court to review this decision on the ground, among others, that it is not subject to regulation under the Public Utilities Act. The Supreme Court has not, as yet, made a decision.

It thus appears that the commission has consistently acted since 1944 on the assumption that the determination of whether a cooperative is a public utility and hence subject to regulation depends upon the corporation's method and plan of operating rather than upon the form of its organization. Only in the *Plumas-Sierra* case just mentioned has the question of whether an electric co-operative may be regulated as a public utility been presented to the Supreme Court of this State. Senate Bill No. 327 covers the point now before the court since the bill exempts all nonprofit cooperatives furnishing electric service primarily to their members, regardless of the scope of their activities.

The Public Utilities Commission representative, Mr. Cassidy, expressly stated that the commission took no position as to the merits or disadvantages of Senate Bill No 327, and that the commission conceived that it was the function of the Legislature to establish the policy of the state law and the function of the commission to carry out that law in accordance with the Legislature's policy.

The proponents of the bill evidently assume that an electric co-operative corporation may be subject to regulation under the Public Utilities Act and that to accomplish their purposes an exemption from this regulation must be written into the act by the Legislature. In order to appreciate the effect of this exemption the principal aspects of regulation must be reviewed.

COMMISSION REGULATION: CERTIFICATES OF CONVENIENCE AND NECESSITY

Under the Public Utilities Act any corporation desiring to engage in furnishing electric service to the public or a portion thereof must obtain a certificate of public convenience and necessity from the commission pursuant to Section 50 of the act Such certificates are required in order to enable the commission to exercise its function of preventing wasteful duplication of utility facilities and harmful competitive practices, which result in unnecessarily high costs to the consuming public for utility services. In order to protect the public interest the commission normally grants a certificate for a given area to only one supplier of electric service Where a corporation has applied for such a certificate the applicant can be protected from competition in the area for which the application has been made.

The testimony before the subcommittee was uncontested that the commission would protect any public utility holding a certificate of public convenience and necessity from harmful competition. This protection is available, as the commission's *Mesa* decision states, to cooperatives in the same manner as to any other electric utility corporation and will be administered, as the *Plumas-Sierra* decision states, in a manner that will be just and reasonable both to the co-operative and its patrons. Except for the Death Valley Cooperative, none of the existing electric co-operatives in the State appear to have taken advantage of the protection given by obtaining a certificate from the commission. Enactment of Senate Bill No. 327 would deprive the Death Valley Co-Operative of the protection which it receives by virtue of this certificate and would prevent any co-operative in the future from obtaining such protection Presumably for this reason the authors of this bill, having deprived the co-operatives, by Section 1, of the commission protection, sought to provide a substitute protection in Sections 2 and 3 of the bill. We will reserve a discussion of these sections until later in this report but feel that it should be noted at this point in the discussion that there would be no need for a substitute form of protection if no exclusion from the Public Utilities Act were made.

Two minor objections to the requirement of a certificate of public convenience and necessity for co-ops should be noted here It was stated by Mr. Arness of the REA that obtaining such a certificate was an expensive and time-consuming process and that it might be delayed by utility company opposition. As to expense, it was pointed out by other witnesses that it is not necessary to employ an attorney in order to present an application for such a certificate, that the proceedings are informal, and that the applicant may obtain the services of the commission's trained and experienced staff in preparing and presenting the application. In the *Death Valley Co-Operative* case, the one instance where a co-operative has sought such a certificate, it appears that no difficulty was encountered. The fears expressed by Mr. Arness that utility company opposition would handicap and delay the co-op were not experienced in that case. The commission certainly has adequate control over its own procedures to prevent any harm to a co-operative enterprise from attempts by a utility company to delay or block proceedings Mr. Arness stated that it was the intention of this bill to prevent the utility companies from having any hearing whatever on a proposed co-operative operation

The certificate of public convenience and necessity is vital to safeguard the public interest as well as to protect the corporations to whom the certificates are granted. Only in this manner can the people of this State be assured that utility enterprises will serve the public interest. The subcommittee's hearings made it clear that the nonprofit co-operative can and does serve a valuable purpose in bringing electricity to remote areas of this State but it is essential to realize that the nonprofit co-operative form of corporation can be used and, indeed, abused for many purposes less desirable than rural electrification. The witnesses for the public utility companies stated, and it was not contradicted, that this type of organization could be formed by a number of corporations for the purpose of escaping commission regulation as to substantial parts of their

operations if this bill is enacted. There appears to be no reason why the exemption proposed by this bill could not be taken advantage of by individuals forming co-operatives in the midst of existing service areas of the utility companies in a manner that could result in wasteful duplication of facilities and undesirable discrimination among consumers.

An example of proposed wasteful duplication by a co-operative was found in the opinion of the Virginia State Corporation Commission in the *Matter of Old Dominion Electric Co-Operative* which was made a part of the subcommittee's record From that opinion it appears that a number of co-operatives in the State of Virginia formed a co-operative for the purpose of constructing electric generation and transmission facilities at a proposed cost of over 16 million dollars Application for a loan of the 16 million dollars was approved by the Rural Electrification Administration. It was necessary, however, for the new cooperative to secure authorization from the Virginia State Corporation Commission for the loan. A hearing was held before the commission and the commission found that the Virginia Electric Power Company had made a firm offer to supply the same service that the co-operative intended to furnish, at rates which would cost the consumers at least 20 million dollars less than the cost of the co-operative over the life of the proposed loan. The commission refused to authorize the loan saying:

> "To any disinterested person it must be apparent from the facts of this case that we have no choice as to what our decision must be In the performance of the duties imposed upon us by the Public Utilities Securities Law, we could not approve an application the effect of which would be to take from the rural consumers of electricity in Virginia more than 20 million dollars over a period of 35 years and give them nothing in return. Since Vepco current would cost them that much less than the same amount of Old Dominion current, they would simply be throwing away at least 20 million dollars. To protect the public from such unsound financing was the dominant purpose of the General Assembly in passing the statute, and in denying the application, we are not exercising any choice of our own, but are merely applying the law to the facts".

The people of Virginia thus have found commission jurisdiction over co-operatives a valuable protection for the public interest.

It should be noted that the REA did not hesitate to approve the 16 million dollar loan to the Old Dominion Cooperative even though the transaction was subject to commission regulation.

Another instance of a co-operative formed for constructing a generating and transmission system was found by the subcommittee in a decision of the Kentucky Public Service Commission, dated December 7, 1950, *In re East Kentucky Rural Electric Co-Operative Corporation.* A co-operative, in that case, applied to the Kentucky Commission for a certificate of convenience and necessity and authority to borrow 12 million dollars from the United States through the REA. The Kentucky Commission reviewed the application, found that the proposed construction would not duplicate or replace existing facilities of other utility corporations in Kentucky, and that the proposed construction was desirable. Consequently, it granted the requested certificate and authority.

Here again it appears that the REA is willing to lend to a co-operative which is subject to regulation and the people of Kentucky have been assured by their regulatory commission that the project is in the public interest

A third possible instance of construction of transmission line facilities was given by Mr. Arness in his testimony before the subcommittee. Assemblyman Brady had pointed out that the Death Valley Co-Operative has already received its certificate of convenience and necessity and asked Mr. Arness if the Death Valley Co-Operative was not therefore assured of freedom from interference in serving the area covered by the certificate The reply of Mr Arness, in part, was

> "Secondly, I don't know what the action of the utility might be if at some time in the future the co-operative should undertake to construct a line perhaps paralleling this line from Boulder Dam or Parker Dam or Davis Dam in order to bring its power at the bureau of rates instead of at the rate of the bureau rates of about a half a cent instead of the eleven *mills* which the company is charging—is proposing to charge the co-operative. I think it very likely that at the point the utility might conceivably intervene and prevent the co-operative from going ahead with a necessary and desirable investment." (P. 114)

The subcommittee believes that, if the Death Valley Co-Operative were to undertake a project such as Mr. Arness described, it would be highly important for the people of California to know whether this project would actually be a desirable one such as that described in the *Kentucky* decision or whether it would prove, upon analysis, to be a burden upon the consuming public such as the proposed Old Dominion Co-Operative project in Virginia. Under the present law the people of California have the same opportunity, through their representatives on the Public Utilities Commission, to review such projects as the people of Kentucky and Virginia. Senate Bill No. 327 would take away this opportunity.

Summarizing this aspect of regulation, it appears to this subcommittee that a broad exemption such as is proposed by Section 1 of Senate Bill No. 327 is open to such grave abuses as to seriously impair the effectiveness of state regulation of public utility enterprise. In matters so intimately connected with the life of the people of this State as the furnishing of electric service no reason has been shown why the people of the State should not be in a position to see that the public interest is served, whether the public utility is a cooperative or a conventional corporation, and whether the financing is private or governmental.

COMMISSION REGULATION: SERVICE TO CONSUMERS

A second function of the Public Utilities Commission is to entertain and dispose of complaints by customers as to the adequacy and the reasonableness of the service being rendered. Included in this function is the power of the commission to prevent unreasonable discrimination between one consumer and another and between different classes of consumers. If Senate Bill No. 327 is enacted the consumers on a co-operative

system will be deprived of this protection. Mr. Arness of the Rural Electrification Administration testified that in such event the consumer's only remedy would be to bring a court action. It was pointed out by other witnesses that court action would be far more expensive and far less efficacious and speedy than commission proceedings. The commission has available to investigate and adjust such complaints and to enforce its orders a technical staff with the necessary qualifications and experience to assure prompt and effective disposal of such complaints.

However, it was argued that since the consumers of a co-op are the members of the corporation they, therefore, can assure themselves of adequate, reasonable and nondiscriminatory service. This was not borne out by the practical experience of two of the co-ops in this State. The only control which the members have over their organization is the opportunity to cast a vote for directors at the annual meeting. Unfortunately, as is common with many small corporations, a quorum is not always present at the annual meeting and the elections are often not held. Mr Holland, Manager of the Surprise Valley Co-Operative testified that his corporation had held only one meeting since 1945 with a quorum present. Mr. Conant, Manager of the Plumas-Sierra Electric Co-Operative testified that there had been no meeting of his co-op since 1944 Although the lack of a quorum at the annual meeting may possibly be a tribute to the successful management of these co-operatives as a whole it is evident that one or two customers who find their service unsatisfactory or who find that they are being discriminated against in some way have no opportunity to secure corrective action. Even the theoretical right to vote for a director of their corporation has no practical value in such cases Mr. Hagar, Attorney for the Meadow Valley Lumber Company, and Mr. Edgerton of the Edgerton Bros. Lumber Company, both testified that their companies were members of co-ops but that their complaints to the management had not produced satisfactory service. Both testified that they believed they should have an opportunity to complain to the Public Utilities Commission.

COMMISSION REGULATION: RATES

A third function of the Public Utilities Commission is to pass on the reasonableness of rates of a public utility. In a nonprofit co-operative corporation it may be presumed that there is adequate incentive to keep the rates as low as possible without regulation and it does not appear that the commission would have occasion to adjust the over-all level of rates in a co-operative unless some improper use were being made of the revenues. Some fear was expressed by co-op witnesses that the commission might refuse to allow rates sufficiently high to cover a co-op's obligations to make its payments of interest and installment repayments of principal to the Rural Electrification Administration. It was stated that it may be necessary for co-op rates to be higher than those of utility companies because of the low customer density of the area served. Certainly the liberal terms of 2 percent interest and 35 years for repayment which are granted by the Rural Electrification Administration to finance 100 percent of a co-op's capital requirements should not require excessive rates. The subcommittee understands, however, that the commission

does not fix rates on the basis of what other utilities are charging but on the basis of what is fair and reasonable to the particular corporation whose rates are under consideration In this connection, the commission said in the *Plumas-Sierra* case, previously mentioned, that the commission would take into account the differing conditions under which a co-operative operates. It said:

> "It might be observed that, although the form of respondent's organization and method of financing may differ considerably from those of electric corporations generally, in our opinion no provision of the Public Utilities Act would so circumscribe the discretion the commission may exercise in the regulation of respondent's operations as to preclude the application of regulatory standards that will be just and reasonable both to respondent and to its patrons".

In the face of this declaration by the commission it is difficult to understand why it was argued that the Federal Government would be apprehensive about the ability of a co-operative to repay its loan if its rates were subject to regulation. This is especially true when it is realized that hundreds of public utility enterprises whose rates are subject to regulation in this State have no difficulty in obtaining private capital to finance their systems.

The commission's function in regulating rates is not limited to determining the over-all level of rates but also includes the power to pass upon the rate structure and the special conditions under which the various rates are to be applied. Here the customer of a public utility may ask protection from the Public Utilities Commission against unreasonable or discriminatory rate treatment. To exempt co-operatives from the Public Utilities Act would exclude its customers from the benefit of this protection. As has been pointed out earlier in this report the consumer's membership in the co-operative is not by any means an adequate substitute for the commission protection.

COMMISSION REGULATION: FINANCING

A fourth function of the Public Utilities Commission is to pass on financial arrangements of public utility corporations. This power protects investors from unsound financial practices and protects the public against wasteful and unreasonable capital expenditures. The Federal Government as an investor may be in a better position to protect itself than the individual who buys a few shares of stock or a bond in a public utility corporation. Nevertheless, this subcommittee does not believe that the fact that federal officials in Washington have approved a loan necessarily means that the loan is for the best interests of the people of the State of California.

The case of the *Old Dominion Electric Co-Operative* which has already been described gives one example of the need for state protection of the local interest against being saddled with the cost of unnecessary federally-financed projects.

But even if we were to be satisfied with the decisions of federal officials the hazard would still remain that attempts would be made to finance unsound co-operative enterprise by private financing. It is impossible to predict if this bill should be enacted what groups might attempt to

take advantage of the proposed exemption from regulation and what types of financing they might try to use. A substantial public interest is served by retaining commission regulation of co-operative financing.

COMMISSION REGULATION: SAFETY

A fifth function of public utility company regulation is to provide standards for safety. The commission's General Order 95 prescribing standards for overhead line construction is a comprehensive regulation for the protection of consumers, utility employees, and the general public. The subcommittee was relieved to learn that the co-operatives intend to comply with these standards. Nevertheless, the subcommittee believes that the public would be deprived of a substantial amount of protection unless the commission retains the authority to supervise and enforce its safety orders with respect to co-operative systems.

The foregoing analysis shows the important functions served by regulation of public utilities in this State and the application of those regulations to co-operative corporations. It is clear that enactment of Senate Bill No. 327 would constitute a major departure from the established policy of the State to assure that public utility enterprises serve the public welfare. It would completely abolish all regulation of public utility undertakings adopting the form of nonprofit co-operative corporations. Even co-operatives formed under the laws of other States would have a free hand in California to set up utility systems regardless of the public interest. The California Public Utilities Commission has a well-deserved reputation as one of the leading regulatory agencies in the Nation. Under its jurisdiction hundreds of public utility enterprises are successfully furnishing public utility services to the people of this State Regulation does not appear to have been an unreasonable burden on the vast number of these enterprises which are comparable in size to the co-operative corporations.

MONOPOLY PRIVILEGES GRANTED BY BILL

As a substitute for this tested and successful policy of regulation the bill proposes two methods by which a co-operative would be given certain exclusive privileges. Under Section 2 of the bill, once a co-operative had rendered service to certain premises it would never be possible for any other supplier of electricity to serve those premises without the written consent of the co-operative. In addition, the provision goes much farther. No municipal corporation supplying electric service could ever furnish electricity to premises now supplied by a public utility company or a co-operative without the written consent of the present supplier. No public utility company could serve premises being supplied by another company without the written consent of the other company. In other words, once a person became a customer of one supplier of electric energy he would be forever bound to that supplier. There could be no divorce unless the supplier agreed. Furthermore, all subsequent owners of the same presmises would be bound to continue as a customer of this same supplier. A provision of this sort, not subject to any public control whatever, would be a most unsound restriction

on the power of the commission to regulate all public utilities. The economy of this State is a dynamic and growing thing which should not be frozen in patterns of the past.

As a further substitute for our established commission system of regulation, Section 3 of the bill attempts to give co-operatives certain special provisions so far as securing the exclusive right to serve new customers in a given area is concerned. The area may be chosen by the co-operative and need not be restricted to unserved areas. It appears to be entirely possible under this proposed measure for a co-operative to preempt the right to serve all new customers in the middle of a large city and any electrical corporation serving that area would be forbidden to construct any facilities therein even if necessary to supply the needs of its existing customers. These arbitrary and undesirable possibilities are the inevitable result of a grant of monopoly privileges without regulation Our system of free enterprise is based primarily upon competition. Where public utilities are concerned we have found it necessary to substitute regulation for competition but we should never eliminate both competition and regulation Senate Bill No. 327 directly violates this principle. It gives any public utility enterprise adopting the non-profit co-operative form of organization an exclusive privilege to obtain all new business in an area which it may choose without any regulation or safeguard to protect the public interest.

BILL NOT REQUIRED TO PERMIT REA LOANS

What then are the reasons advanced in favor of this bill? Prior to the investigation by this subcommittee it was stated that the Rural Electrification Administration would not lend money to an electric co-operative if it was subject to state regulation. Examination of Mr. Arness, the head of Region 9 of the Applications and Loans Division, Rural Electrification Administration, revealed that the Rural Electrification Administration had no such policy and that in fact the REA had approved loans amounting to more that 400 million dollars in states where cooperatives were subject to regulation as public utilities. The following excerpts from the testimony makes this clear:

> "SENATOR BROWN: There's another question I wanted to ask you. It will be a direct question. Do you think if we're unable—we don't enact Senate Bill 327, and the Public Utilities ruling stands as it is, that you do come under it, will the government loan any more money on these co-ops?
>
> MR. ARNESS: The REA is currently making loans to—in nine states, where the borrowers, where the co-operatives are under complete commission jurisdiction. Certainly, we will continue to make loans in the State of California where we are able to do so, on the basis of feasibility, and where certificates have been obtained pursuant to that jurisdiction, if that jurisdiction be sustained. (Pp. 48, 49)
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> * * * * * * *
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> (CHAIRMAN MORRIS) * * * Now, there has been a great deal of talk, Mr. Arness, since this bill was introduced to the effect that someone connected with the REA had made a statement that unless

this bill was passed there would be no more loans granted to the rural co-operatives in the State of California. Have you ever made such a statement, or have you, of your own knowledge, any knowledge that such a statement was made by someone connected with your Rural Electrification Administration?

MR. ARNESS: Mr. Chairman, I don't believe I have ever made any such statement, and I have no direct knowledge that any such statement was made by any representative of the REA.

CHAIRMAN MORRIS: You don't know, then, or do you know whether this is going to be a policy of the administration in Wash., I speak of Mr. Claude Wickard, the Chief of the REA, whether he would make such a policy that no loans would be granted to states operating under commission jurisdiction?

MR. ARNESS: I do not believe that he would be, that Mr. Wickard would institute such a policy. In view of the language of the Rural Electrification Act, we do provide, or there is provided in the standard loan contract, a provision that a borrower must comply with all rules and regulations within the state, or states, within which it operates I think this question may be, to some extent, due to a misunderstanding. It seems to me, now I'm just speculating, Mr. Chairman and may be entirely wrong about it. I think its correct, however, that as of July or August, along about that period, that REA made a determination that the question of commission jurisdiction had been raised in the State to a point where that question should be clarified and determined finally, before additional loans were made to borrowers in the State. Now, that was not a fixed and arbitrary determination or policy; as a matter of fact, I think we have made one or two loans subsequently, within the State. A loan made to the Inter-Valley Electric Co-Operative at Inyo-Kern, in the spring of the year, is still under stop order, however, pending determination of the jurisdiction question.

CHAIRMAN MORRIS: If this bill should not be passed, Mr. Arness, would you then follow the policy of considering the loans strictly upon their merits as to the feasibility of being paid off within the loan repayment period, or what would be the policy of the REA?

MR. ARNESS: There would be no change of policy If the—if we wind up this present consideration by the California Assembly, Legislature, and if your current appeals to the courts are—should be adverse to the co-operative's plea; what I'm saying is, that if we wind up with commission jurisdiction, it will simply mean that the referment of a certificate of convenience or necessity will clearly be a requirement before funds can be advanced. That is not clear at the present time." (Pp. 50-51)

From these statements the subcommittee concluded that the only concern of the Rural Electrification Administration with respect to making loans to co-operatives subject to regulation was to see that certificates of public convenience and necessity were obtained where state law required it. This was borne out by the fact that the standard form of loan contract used by the REA requires the borrower to obtain all permits and certificates of public convenience and necessity required by state law. Mr. Arness stated that since the middle of last year the REA has

been holding up processing of loans in this State until it can be determined whether or not a certificate from the Public Utilities Commission is required of the borrowers. If the California Supreme Court should decline to reverse the *Plumas-Sierra* case, previously mentioned, it appears that such certificates will be required before loans are made. If the Supreme Court decides that a co-operative cannot be subject to public utility regulation under present law or if Senate Bill No 327 is enacted, certificates of public convenience and necessity will not be required to be obtained before loans are approved by the REA.

REGULATION DOES NOT ADVERSELY AFFECT ECONOMIC FEASIBILITY

At the March 15th hearing of the subcommittee in Sacramento, Mr. Arness asked permission to correct and clarify his testimony as to the REA position. His testimony at this later hearing was to the effect that commission regulation might conceivably affect the economic feasibility of a co-operative project. Assuming, as Mr Arness said he did, that the commission acts within the law and not arbitrarily or capriciously, it was difficult to find substance in this argument. The fears that rate and financial regulation might handicap the successful operation of a co-operative have already been disposed of in this report. It was argued that co-operatives need protection against losing customers and one case was cited to the subcommittee as an example of what might occur In that case the Meadow Valley Lumber Company was a member and customer of the Plumas-Sierra Electric Co-operative. After many years of membership it found the service unsatisfactory, primarily as the result of many outages, and unsuccessfully sought corrective action from the co-op management. Failing in this the lumber company applied to the Pacific Gas and Electric Company for service since the company's lines ran near the lumber company's mill. The Pacific Gas and Electric Company declined to render service on the ground that in its contract under which it wholesaled electricity to the co-op, it had agreed not to serve any customer of the co-op. The lumber company complained to the California Public Utilities Commission and the commission found that the agreement between the company and the co-op to respect each other's territory had not been approved by the commission, that the company had a certificate generally covering the area in which the lumber mill operated, and the co-op had no such certificate. The commission concluded that it was therefore necessary to order the company to render the requested service The co-op entered an appearance in the case and has requested the State Supreme Court to review the matter. This case, like the other *Plumas-Sierra* case, previously mentioned, has not yet been decided.

Although it is clear that this *Meadow Valley Lumber Company* case is responsible for some of the agitation in favor of this bill the subcommittee is unable to find that it constitutes a hazard to co-operative operation. Unfortunately, the Plumas-Sierra Co-Operative had not complied with state law and had not obtained a certificate of public convenience and necessity. The testimony of Mr. Cassidy, Assistant Chief

Counsel of the commission, was very clear to the effect that if the co-operative had such a certificate and had been furnishing adequate service the commission would not have permitted the lumber company to switch from one source of supply to another. It is also clear that if Senate Bill No. 327 had been enacted before the lumber company's case arose the lumber company would have been without any remedy whatever. It could not have obtained electricity from any other public utility, it could not have appealed to the commission for a remedy, and there were no annual meetings at which it could even have cast its single vote for directors. In the opinion of the subcommittee the *Meadow Valley Lumber Company* case demonstrates that existing law protects both the consumer and the co-operative in a manner far more conducive to the public welfare than the proposed legislation.

The only other reason advanced by Mr. Arness as to the effect of regulation upon economic feasibility of a co-operative enterprise was the fear that the co-operative would be opposed in its application for a certificate of convenience and necessity and that the utility company might during the pendency of the application build lines to serve part of the co-operative's proposed territory. However, in the one case in California where such a certificate was applied for no such difficulties were encountered and the application of the Death Valley Co-Operative was granted in a short time. Mr. Arness cited the case of the Mesa Co-Operative as an example of what might happen However, the testimony of Mr. Cassidy on behalf of the Public Utilities Commission showed that the Mesa Co-Operative not only lacked a certificate from the commission but flatly refused to make application for one when invited to do so by the commission. In its opinion the commission said:

> "Mesa was privileged to made application to the commission for a certificate. Not having done so, it undertook the construction of electric lines at its peril. Had it proceeded otherwise, this commission could have exercised its powers to prevent the construction of any electric lines into Mesa's proposed field of operations until its application could be heard and the issues determined as the public interest demanded. As Mesa did not file such an application, the commission must issue an order directing it to cease and desist from all further construction or operation of electric facilities until the requirements of Section 50 of the Public Utilities Act are fulfilled." (P. 13)

The gist of the *Mesa* decision is thus that the co-operative was acting outside of the law and could not proceed until it complied with the requirements of the Public Utilities Act. Instead of proving that regulation is a handicap to a co-operative in its initial stages, the decision very clearly establishes that the commission procedure would protect the co-operative against the very evils which Mr. Arness and other witnesses feared.

It did not appear from the testimony of Mr Arness that the REA fears that commission jurisdiction over rates would impair the economic feasibility of a co-operative project. However, other witnesses stated that the willingness of the REA to lend might be affected if the rates of

the co-operative were subject to regulation. As has been stated in a previous section of this report, any concern on this point is unfounded since rates are determined upon the basis of what is fair and reasonable to the corporation and the commission has expressly stated that it would take account of the difference in the method of financing of co-operatives as compared with electric corporations generally. Private capital has always been available in large amounts to regulated utility corporations and the Federal Government certainly should be willing to lend under the same conditions as private investors.

To sum up, the evidence as to the position of the REA was, first, that regulation merely imposed a legal requirement for a certificate of convenience and necessity, and that applications for loans would be passed upon solely on the basis of economic feasibility. The later testimony attempted to argue that regulation would affect economic feasibility but none of the reasons advanced in support of this thesis could be sustained in the face of the actual rules and policies followed by the Public Utilities Commission. In the opinion of the subcommittee, the attitude of the REA toward lending to co-operatives subject to state regulation can best be determined, not from the conflicting statements of the witnesses who appeared before it, but, from the fact that the REA has consistently made loans in other states to regulated co-operatives. The *Old Dominion* and *East Kentucky Co-Operative* cases referred to previously are specific examples where federal money was being made available to regulated co-operatives. The evidence presented to the subcommittee showed that there are 11 states in which co-operatives are subject to state regulation in one form or another. These states are California, Colorado, Indiana, Kansas, Kentucky, Maryland, New Jersey, Virginia, West Virginia, Wisconsin and Wyoming. The Annual Report of the Rural Electrification Administration for the Fiscal Year 1950 was made a part of the subcommittee's records, and it shows that over 48 million dollars were actually advanced to borrowers in these 11 states during that year. It also shows that the total of all loans approved by the REA up to the end of that year to borrowers in the 11 states exceeded 400 million dollars. There are three additional states where the matter of jurisdiction is considered to be in doubt, and, if loans in these states are included, a total of more than half a billion dollars in loans has been approved in states where there is or may be regulation. From these facts, it is obvious that loans will continue to be made to co-operatives in California just as in other states even though Senate Bill No. 327 is not passed and co-operatives remain subject to regulation.

CO-OPERATIVES ARE PRIVATE CORPORATIONS

A further argument on behalf of the exemption of co-operatives from regulation was that co-operatives are like municipal corporations which are exempt from regulation under the Constitution. In reply to a question submitted by the subcommittee, the Legislative Counsel said "As to your third question regarding the difference between electric departments of municipal corporations and rural electric co-operatives, a municipal corporation is a public agency, while a rural electric co-operative is a private corporation of a nonprofit character, organized primarily

to provide service to its members." In view of the fact that a co-operative is a private corporation, and in view of the fact that its activities are virtually unlimited in scope so far as the Corporation Law of the State is concerned it does not appear to be appropriate to grant such corporations the same exemption which is granted to municipal corporations and districts which are responsible to all of the people in a given area.

INTENTION OF BILL NOT EFFECTED

Near the close of the subcommittee's hearings, Senators Powers and Johnson, the authors of the bill made statements in which they emphasized that their intention in introducing the bill was to accomplish two things: *First*, to protect co-operatives against losing customers through Public Utility Commission action, and *Second*, to avoid the imposition of rates on co-operatives which would impair the ability of the corporation to repay loans made by the REA. The specific answer to these points is, *First*, that co-operatives have available to them the same protection which is afforded all public utilities in this State and this protection appears, from the testimony of the witnesses and the decisions of the commission, to be ample. The difficulties in which the Plumas-Sierra Co-Operative and the Mesa Co-Operative found themselves appear to have arisen as a result of failure to take advantage of the protection which is available to them under existing law. *Second*, the fears as to harmful rate regulation appear to be unfounded and no instance of undesirable rate regulation has been cited Furthermore, it does not appear that the REA shares this concern.

In any event, it was made abundantly clear that Senate Bill No. 327 goes far beyond the intentions of the authors of the bill. It proposes the drastic remedy of abolition of all regulation of corporations which are formed so as to meet the nonprofit co-operative requirement. The utility company witnesses pointed out that this exemption might be taken advantage of in a variety of undesirable ways although the bill is defended as a measure to aid rural electric co-operatives its actual effect is to create a far-reaching exemption in this State's scheme of public utility regulation. The bill must be weighed, not according to what the authors intended but according to what it would actually accomplish From this standpoint it seems to be clearly contrary to the established public policy of this State.

The need for and value of rural electric co-operatives was admitted by every witness who touched upon the subject, but recognition of their usefulness is not an argument for the bill. The arguments of its supporters all proceed on the premise that existing law is a handicap to co-operatives. In the light of the facts developed at the hearings this assumption has been proved to be false. The commission's decisions in the *Meadow Valley Lumber Company* case and the *Mesa Co-Operative* case which seem to have been the spring-board for this assumption do not, when the opinions are read and the circumstances studied, justify any such conclusions as the proponents of the bill have attempted to draw. To adopt this bill on the ground that regulation is harmful to co-operatives would be to assume that the Public Utilities Commission would get arbitrarily and capriciously, contrary to the rules of law announced

by the courts and in its own decisions. The subcommittee does not believe that there is any reason whatever to justify such a vote of lack of confidence in the commission.

SUMMARY

In submitting this report, the subcommittee believes that its hearings have been as full and extensive as any that have been held on a specific piece of legislation. It has been assured by Senators Powers and Johnson, the authors of the bill, that they have had a fair hearing with full opportunity to present all material which they deemed pertinent. The hearings consumed approximately 17 hours on four different days, and were conducted in Baker, San Francisco, and Sacramento. Representatives of two operating co-operatives, five proposed co-operatives, two farm organizations, the Federal Rural Electrification Administration, co-operative customers, and three public utility companies, were heard.

The testimony taken totaled 511 pages when transcribed and certain reports and papers were received and made part of the record. It is with confidence, therefore, that an earnest endeavor has been made to arrive at the truth of the matters involved that the subcommittee submits the following conclusions:

1. Regulation of co-operatives under the existing Public Utilities Law by the Public Utilities Commission in no way handicaps their formation, financing, or operation. The disadvantages of regulation suggested by the proponents of the bill are without substantial foundation in fact so long as co-operatives comply with existing law.

2. The bill proposes to substitute for our established and generally successful scheme of regulatory protection of utility enterprises a rigid monopoly privilege, giving to corporations which are formed to take advantage of its provisions an exclusive right to serve new customers in an area without any regulation whatever. The existing law, as administered by the Public Utilities Commission, provides all of the protection for co-operatives which could reasonably be given them, with the added assurance that under regulation protection cannot be obtained contrary to the public interest.

3. Under existing law, the Public Utilities Commission will not take away from any co-operative which complies with state law a customer of that co-operative who is receiving reasonably adequate service. The bill is, therefore, not necessary to prevent a contrary result.

4. Under existing law there is no reason why regulation of a co-operative's rates should impair its ability to secure financing from the Rural Electrification Administration.

5. The Rural Electrification Administration does not refuse to lend money to co-operatives subject to commission regulation.

6. There is no substantial basis to the argument that regulation adversely affects the economic feasibility of rural electrification projects

7. Co-operative corporations are private companies and not public agencies, and are not entitled to the exemption from regulation accorded municipal corporations. If co-operatives are exempted from regulation there would be no responsibility to serve the public interest.

8. The nonprofit co-operative type of corporation may be used for many purposes other than rural electrification. If an exemption from regulation is granted to this class of corporation such corporations may be formed to construct generating and transmission facilities with complete freedom from regulatory control.

The subcommittee finds that enactment of Senate Bill No. 327 would be a major step backward in the policy of this State with respect to utility regulation and would not be of any assistance to desirable rural electrification projects. We, therefore, recommend that the bill be not reported out to the Assembly.

Respectfully submitted,

SUBCOMMITTEE ON SENATE BILL NO. 327

G. DELBERT MORRIS, Chairman
PAT MCGEE
MONTE A. BURKE
CLAYTON A. DILLS

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Maud Dickinson, and Leonard Herman, teachers, and the following pupils of the Oak Grove School of Santa Clara County: Russel Deatherage, Kenneth Hoshida, Patrick Joice, Burrell Killebrew, Roy Kimura, Kenneth Kimura, Kenji Morimoto, Seiichi Murakami, Harold Nakaji, George Okamoto, Warren Sadler, Anthony Speno, Kenneth Takata, James Taoka, Mary Bettencourt, Mary Helen Carrasco, Patsy Easley, Mary Louise Lindstrom, Elisa Perez, Albert Corbett, Steve Corbett, Le Roy Santos, Janice Schuster, and Nancy Skinner.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Robert B. Coyner, Howard B. Turrentine, and Thomas M. Hamilton of San Diego.

On request of Mr. Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Daniel F. Del Carlo of San Francisco.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Norman W. Smith of Livermore.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to James Ryan of Martinez.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Michael Todorovich, teacher, and the following pupils of the Napa Junior College: Claudia Baines, Dianna Bakker, Darlene Benson, Berdena Betz, Geraldine Bonfiligo, Herbert Borchers, Ron Cliff, Claire Colgan, Lorraine Cook, Barbara Deese, Helen Ellis, Arlene Fong, Paul Gratton, John Loring, Janet McCord, Elda Mix, Cardynne Oglvie, Marie Parham, Eddie Parker, Ruth Richardson, Lewis Risley, Vivian Russell, Dorothy Sammons, Alberta Santoni,

Reuben Sapp, Tom Marshall, Jim Shelton, Jim Stubb, Lucy Tolle, Norman Brown, Bill Cardwell, Joy Cavagnaro, Lorraine Del Re, Rosemarie Emerson, Bretta Edwards, Robert Foley, Louise Grimes, Mary Hempler, Evelyn Morton, Suzanne McCormick, Robert Mott, Carlene Moyer, Leroy Parker, John Scherer, Bob Smith, Pat Smith, Monty Swartz, Retva Viksma, Marilyn Waggoner, and Bill Husted.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Assemblyman and Mrs. Kenneth F. Blackwell and Mrs. Esther Mae Wicker of Franklin, Indiana.

On request of the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Prof. Samuel C. May of the University of California, and the following graduate students: Robert McNeill, Paul Pitner, Jr., and Robt. Ivaniseveck.

ADJOURNMENT

At 11 57 a.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, April 4, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY

FORTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 4, 1951

The Assembly met at 10 a.m.

Hon Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Thou art my God; early will I seek Thee; my soul thirsteth for Thee; my flesh longeth for Thee like a dry and thirsty land.

Because Thy loving-kindness is better than life, my lips shall praise Thee.

Create in me a clean heart, O God; and renew a right spirit within me.

Inspire us for the duties of this day and hour. Give us a sense of Thy nearness and of our part in Thy great plan for all mankind. Help us to know

That God, which ever lives and loves,
One God, one law, one element,
And one far-off divine event,
To which the whole creation moves.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Gubser.

Mr. Kilpatrick, on motion of Mr. Gubser.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Gubser.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr. Caldecott.

REQUEST FOR UNANIMOUS CONSENT

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Assembly Journal for April 3, 1951, be corrected to show that the urgency clause in Section 3 of the Senate amendments to Assembly Bill No. 2171 was adopted on April 3, 1951, by separate roll call; but due to an error, was not included in the Journal.

The roll call to be included will show 56 Ayes and no Noes on the adoption of the urgency clause.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, CALIFORNIA, April 3, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
State Assembly, Assembly Chamber
Sacramento, California

DEAR MR. OHNIMUS: I am this day sending to the State Treasurer a check in the sum of $40,000, to be placed to the credit of the Legislative Printing Fund, representing proceeds from the sale of legislative publications from June 1, 1950, to March 31, 1951.

Very truly yours,

PAUL E. GALLAGHER, State Printer

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 543

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature, and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of April, 1951, at 9 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 636
Assembly Bill No. 1852

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 3290

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 255
Assembly Bill No. 503
Assembly Bill No. 841
Assembly Bill No. 1188
Assembly Bill No. 1199
Assembly Bill No. 2131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3077

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1124
Assembly Bill No. 1206
Assembly Bill No. 2341
Assembly Bill No. 2342
Assembly Bill No. 2647

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 471
Senate Bill No. 102
Senate Bill No. 103

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No 376
Senate Bill No 558

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 3226

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 586
Assembly Bill No 2128
Assembly Bill No. 2764

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 2123
Assembly Bill No. 2124
Assembly Bill No. 3227

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 585
Assembly Bill No. 2127
Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 2530
Assembly Bill No. 2717

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 154	Assembly Bill No. 207
Assembly Bill No. 195	Assembly Bill No. 208
Assembly Bill No. 196	Assembly Bill No. 209
Assembly Bill No. 197	Assembly Bill No. 229
Assembly Bill No. 198	Assembly Bill No. 308
Assembly Bill No. 200	Assembly Bill No. 309
Assembly Bill No. 202	Assembly Bill No. 1149
Assembly Bill No. 203	Assembly Bill No. 1744
Assembly Bill No. 204	Assembly Bill No. 1746
Assembly Bill No. 205	Assembly Bill No. 1893

Has has the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 105	House Resolution No. 109
House Resolution No. 108	House Resolution No. 110

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 9

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 169
Assembly Bill No. 566

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1025

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1025—An act to amend and renumber Section 39793 of, to add a new Section 39793 to, the Government Code, and to repeal an act entitled "An act authorizing municipal corporations to lease, purchase, own, and operate gravel beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads," approved March 27, 1897, relating to facilities in aid of city works and improvements.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 91
Senate Bill No. 147
Senate Bill No. 176
Senate Bill No. 454
Senate Bill No. 554
Senate Bill No. 634
Senate Bill No. 976
Senate Bill No. 1502

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 91—An act to add Section 742.5 to the Vehicle Code, relating to the issuance of warrants

Referred to Committee on Judiciary.

Senate Bill No. 147—An act to amend Sections 2722 and 2724 of the Penal Code, relating to the sale of jute goods.

Referred to Committee on Judiciary.

Senate Bill No. 176—An act to amend Section 17015 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 454—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 554—An act to amend Section 13988.1 of the Revenue and Taxation Code, relating to deduction or expenses and fees in computing inheritance taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Senate Bill No. 976—An act to amend Section 27293 of the Government Code, relating to the recording of instruments in foreign language

Referred to Committee on Judiciary.

Senate Bill No. 1502—An act to amend Sections 9604, 9605, and 9675 of the Business and Professions Code of the State of California, relating to cemetery brokers.

Referred to Committee on Public Health.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 752

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City of San Bernardino, a municipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on the twentieth day of March, 1951

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon Border.

And appointed Senators Abshire, Way, and Coombs as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE CONCURRENT RESOLUTION NO. 16

The Speaker announced the appointment of Messrs. Belotti, Grunsky, and Elliott as a Committee on Conference concerning Senate Concurrent Resolution No. 16.

BILL WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1277, on request of Mr. Caldecott.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1828—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 423—An act to add Section 6c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 618—An act to amend Sections 1204 and 1206 of the Code of Civil Procedure, relating to claims and liens for labor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 635—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims.

Bill read second time, and ordered engrossed.

Assembly Bill No. 663—An act to amend Section 96 of the Labor Code, relating to assignment of claims.

Bill read second time, and ordered engrossed.

Assembly Bill No. 707—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 837—An act to amend Section 8205 of the Government Code, relating to notary public.

Bill read second time, and ordered engrossed.

Assembly Bill No. 901—An act to amend Sections 6087 and 6100 of the Business and Professions Code, relating to discipline of attorneys.

Bill read second time, and ordered engrossed.

Assembly Bill No. 904—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 905—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1192—An act to repeal Section 89 of the Code of Civil Procedure as amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1906—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths.

Bill read second time, and ordered engrossed.

Assembly Bill No. 66—An act to amend Section 1535.4 of the Military and Veterans Code, relating to civil defense.

Bill read second time, and ordered engrossed.

Assembly Bill No. 868—An act to amend Section 19333 of the Government Code, relating to authorizing absences from veterans' homes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 74—An act to amend Section 970 of the Military and Veterans Code, relating to county service officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 422—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out, "nine hundred dollars ($900).", and insert "one thousand dollars ($1,000)."

Amendment No. 2

On page 1, line 13 and 14, of said bill, strike out, "six hundred twenty-five dollars; ($625) ;", and insert "six hundred seventy-five dollars ($675) ;".

Amendment No. 3

On page 1, line 16, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 4

On page 1, line 18, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 5

On page 1, line 20, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 6

On page 2, line 2, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 7

On page 2, lines 3 and 4, of said bill, strike out "four hundred seventy-five dollars, ($475) ;", and insert "five hundred twenty-five dollars ($525) ;".

Amendment No. 8

On page 2, lines 5 and 6, of said bill, strike out "four hundred twenty-five dollars ($425) ;", and insert "four hundred seventy-five dollars ($475) ;".

Amendment No. 9

On page 2 of said bill, strike out lines 7 to 14, inclusive, and insert

"One deputy clerk (while assigned to the department of the presiding judge), four hundred sixty dollars ($460) ;

One deputy clerk (while assigned to the law and motion and small claims department), four hundred sixty dollars ($460) ;

One deputy clerk (while assigned to the master calendar department), four hundred sixty dollars ($460) ;

Eighteen deputy clerks, four hundred fifty dollars ($450) ;

Ten deputy clerks, four hundred dollars ($400) ;

Sixteen deputy clerks, three hundred fifty dollars ($350) ;

Nineteen deputy clerks, three hundred twenty-five dollars ($325) ;

Nineteen deputy clerks, three hundred dollars ($300) ;

Two telephone operators, two hundred seventy-five dollars ($275)

Night shift work and extra compensation A night shift is a tour of duty which commences after 2 p.m. and prior to 6 a m. Attaches who are required to work a night shift shall be paid 64 percent more than the amount to which they are otherwise entitled."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6", and insert "Sections 6 and 7".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 8, inclusive, and insert

"(a) There shall be 12 judges, each of whom shall receive fifteen hundred dollars ($1,500) per annum less than the annual salary received by a Judge of the Superior Court of the City and County of San Francisco, payable in equal monthly installments."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 8, insert

"SEC 2 Section 7 of said act is amended to read:

Sec. 7. The municipal court in a city or city and county of the first and one-half class shall be constituted, and the judges, officers and attaches thereof shall be as herein enumerated and shall have the qualifications and shall receive the compensation herein affixed, as follows:

There shall be 40 judges, who must be registered and qualified electors of the city wherein they are to serve and shall have been admitted to practice before the

Supreme Court of the State for a period of at least five years immediately preceding election or appointment to such office and each of whom shall receive [thirteen thousand five hundred dollars ($13,500)] *fifteen hundred dollars ($1,500)* per annum, *less than the annual salary received by a Judge of the Superior Court of the County of Los Angeles*, payable in equal monthly installments; one clerk to be appointed by the judges of the court who shall receive eight hundred dollars ($800) per month; one marshal to be appointed by the judges of the court, who shall receive eight hundred dollars ($800) per month; one referee to be appointed by the judges of the court who shall receive five hundred dollars ($500) per month."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 902—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 25 and 26, and insert "to pay to the clerk of the court to which the action is so transferred any transmittal, appearance or filing fee in said action, but shall be required to pay the filing and any other fee required of a defendant, if he appears in the action filed against him."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 903—An act to amend Section 214 of the Code of Civil Procedure, relating to juries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, after "of", strike out "other", and insert "another".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1622—An act to amend Sections 736, 737, 738, 739, and 743.6 of the Vehicle Code, relating to arrests for any violation of the Vehicle Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, after "driving", insert "when such offense causes injury to any person".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1793—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "nine hundred dollars ($900)", and insert "one thousand dollars ($1,000)".

Amendment No. 2

On page 1, line 18, of said bill, strike out "five", and insert "four".

Amendment No. 3

On page 1, line 20, of said bill, after "hundred", insert "fifty".

Amendment No. 4

On page 1, line 21, of said bill, strike out "$400", and insert "$450".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 32—An act to add Section 59.3 to the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "off-sale".

Amendment No. 2

On page 1, line 4, of said bill, after "retail", insert "off-sale".

Amendment No. 3

On page 1, line 6, of said bill, strike out "10", and insert "8".

Amendment No. 4

On page 1, line 7, of said bill, strike out "10", and insert "8".

Amendment No. 5

On page 1, line 9, of said bill, after the period, insert "This section shall not apply to licensees doing business in areas designated by the board as bona fide seasonal or resort areas."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3083—An act to amend Sections 6107 and 27381 of the Government Code, relating to issuance of certified copies of public records to veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 6107 and 27381", and and insert "Section 6107".

Amendment No. 2

On page 1, line 25, of said bill, strike out "or of any other public record".

Amendment No. 3

On page 2 of said bill, strike out lines 11 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1703—An act to amend Sections 53672 and 53673 of the Government Code, relating to the deposit of public moneys with banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out "53672 and 53673", and insert "53630, 53651, 53657, 53661, 53662, 53670, 53672, 53673, 53674, 53675, 53676, 53677 and 53678 and to repeal sections 53652, 53653, 53654, 53655, 53656, 53658, 53663, 53664, 53667 and 53668".

Amendment No. 2

Immediately following the preamble of the printed bill, insert

"SECTION 1. Section 53630 of the Government Code is amended to read:

53630 As used in this article:

(a) "Local agency" means county, city, municipality, or other public or municipal corporation.

(b) "Depositary" means bank in which the funds of a local agency are deposited.

(c) *"Security" means only any one or all of the securities or obligations listed hereinafter in Section 53651 of this Article 2.*

SEC. 2 Section 53651 of the Government Code is amended to read:

53651. To secure active or inactive deposits, the depositary shall deposit with the treasurer:

(a) United States Treasury notes, [or] bonds, *bills or certificates of indebtedness*.

(b) Bonds for which the faith and credit of the United States are pledged for the payment [of] *of* principal and interest

(c) Bonds of this State or of any county, city, metropolitan water district, municipal utility district, municipal water district, bridge and highway district, flood control district, school district, water district, water conservation district, or irrigation district within this State [.], *including bonds payable solely out of the revenues from a revenue producing property owned, controlled or operated by such State, county, city or district, or by a department, board, agency or authority thereof.*

(d) Registered warrants of this State.

SEC 3 Sections 53652, 53653, 53654, 53655 and 53656 of the Government Code are repealed

SEC 4. Section 53655 of the Government Code is added to read:

53655 The securities deposited to secure active and inactive deposits shall be approved by the treasurer of the local agency. The eligibility of the securities shall be approved by the attorney of the local agency.

SEC. 5. Section 53657 of the Government Code is amended to read:

53657. The market value of the *securities* [notes, bonds, or registered warrants] securing *active or* inactive deposits shall be at least 10 percent in excess of the amount of the deposit secured by them but the amount of the deposit shall not exceed the face value of the *securities* [notes, bonds, or registered warrants].

SEC. 6. Section 53658 of the Government Code is repealed.

SEC. 7. Section 53661 of the Government Code is amended to read:

53661. All or part of the security may be withdrawn or released on the written consent of the treasurer, but a sufficient amount of *securities* [notes or bonds or, when permissable, surety bonds of sufficient penalties] shall always be kept in the treasury to secure the deposits.

SEC. 8. Section 53662 of the Government Code is amended to read.

53662. If a depositary fails to pay all or part of the deposits on the treasurer's demand he shall immediately recover upon or convert the *securities* [notes or bonds] into money and disburse it according to law.

SEC. 9. Sections 53663, 53664, 53667 and 53668 are repealed.

SEC. 10. Section 53670 of the Government Code is amended to read.

53670. The treasurer is chargeable with the safekeeping, management, and disbursement of the *securities* [bonds, notes and certificates of deposit] deposited with him as security, interest thereon, and the proceeds of any sale pursuant to this article.

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Section 1.", and insert "Section 11."

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "notes or bonds", and insert "securities".

Amendment No. 5

On page 1, lines 9 and 10, of the printed bill, strike out "notes and bonds", and insert "securities".

Amendment No. 6

On page 1, line 11, of the printed bill, strike out "SEC 2." and insert "SEC. 12."

Amendment No. 7

On page 1, lines 13 and 14, of the printed bill, strike out "notes or bonds", and insert "securities".

Amendment No. 8

On page 1, line 19, of the printed bill, strike out "notes and bonds", and insert "securities".

Amendment No. 9

Immediately following the end of the printed bill, insert

"SEC 13. Section 53674 of the Government Code is amended to read

53674. A bank or trust company to which *securities* [notes or bonds] are delivered, either as agent or depositary for a treasurer, shall dispose of the *securities* [notes or bonds] as the treasurer directs. The bank or trust company is responsible only for a strict compliance with the written instructions given it by the treasurer At all times the *securities* [notes or bonds] are subject to the order of the treasurer

SEC. 14. Section 53675 of the Government Code is amended to read

53675 A treasurer shall take from such bank or trust company a receipt for *securities* [notes and bonds] delivered to it.

SEC. 15. Section 53676 of the Government Code is amended to read.

Sec. 53676. The treasurer is not responsible for *securities* [notes or bonds] delivered to and receipted for by any bank or trust company.

SEC. 16 Section 53677 of the Government Code is amended to read:

Sec. 53677 The local agency is not responsible for the custody and safe return of such *securities* [notes and bonds], until they are withdrawn from the bank or trust company by the treasurer.

SEC 17. Section 53678 of the Government Code is amended to read.

Sec. 53678. The charges for the handling and safekeeping of any such *securities* [notes or bonds] are not a charge against the treasurer but shall be paid by the bank owning the *securities* [notes or bonds].

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2562—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 and 15, and insert "the California Workmen's Compensation Law."

Amendment No. 2

On page 1, line 16, of said bill, strike out "provided", and insert "Provided".

Amendment No. 3

On page 1, line 16, of said bill, after "such", insert "cash".

Amendment No. 4

On page 1 of said bill, strike out lines 20 to 25, both inclusive; and on page 2, strike out lines 1 to 33, both inclusive, and insert "the amount of such cash payments. Provided further that if from the information submitted by the claimant, or otherwise obtained, there is uncertainty or disagreement between the commission, insurer or self-insurer, as the case may be, on the one hand, and the claimant, employer carrying self-insured workmen's compensation or workmen's compensation carrier on the other hand, as to whether or not the individual is eligible to benefits in the form of cash payments under the California Workmen's Compensation Law, the commission, insurer or self-insurer, as the case may be, shall immediately pay benefits under this article if the claimant (1) is otherwise eligible, (2) executes a written lien against such cash benefits arising out of such disability for the amount of benefits paid under this article, and (3) promptly files and diligently prosecutes his application for workmen's compensation benefits under the California law so that the Industrial Accident Commission may make determination of claimant's right under such Workmen's Compensation Law.

(c) An individual shall not be eligible for unemployment compensation disability benefits for any week of unemployment due primarily to a disability, for which week the commission, insurer or self-insurer, as the case may be, believes from the information before it that the claimant is eligible to benefits in the form of cash payments under a workmen's compensation law or employer's liability law of any other state than California or of the Federal Government until there has been a determination by the appropriate agency of government that the individual is not eligible to benefits in the form of cash payments under such a workmen's compensation law or employer's liability law of another state or of the Federal Government. Provided, however, that if the benefits to which the claimant is entitled under a workmen's compensation law or employer's liability law of another state or of the Federal Government are less than the weekly amount he would have received as disability benefits under Article 10 of this act, but for such other act, he shall be entitled to receive for such week, if otherwise eligible, disability benefits, reduced by the amount which he is eligible to receive under such other act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2956—An act to repeal Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 7655 of the Public Utilities Code is amended to read

7655. A check shall be affixed to every package or parcel of baggage when taken for transportation by any agent or employee of a railroad corporation and a duplicate thereof given to the passenger or person delivering the baggage. If the check is refused on demand, the railroad corporation shall pay to the passenger the sum of twenty dollars ($20), to be recovered in an action for damages [, and no fare or toll shall be collected or received from the passenger, and if the passenger has paid his fare, the fare shall be returned by the conductor in charge of the train

If, upon producing the check, his baggage is not delivered to him by the agent or employee of the railroad corporation, he may recover the value thereof from the corporation.]

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2972—An act to repeal Section 7503 of the Public Utilities Code, relating to the borrowing of money by railroad corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 7503 of the Public Utilities Code is amended to read:

7503. [A railroad corporation may borrow, on the credit of the corporation and under such regulations and restrictions as the board of directors by unanimous concurrence may impose, such sums of money as are necessary for constructing and completing its railroad, with its equipment, and for the purchase of all necessary rolling stock and all else relative thereto, and may issue promissory notes therefor, or may issue and dispose of bonds to raise money necessary to pay therefor, at a rate of interest not exceeding 10 percent per annum. A railroad corporation may also issue bonds or promissory notes at the same rate of interest in payment of any debts or contracts for constructing and completing its road, with its equipment and rolling stock, and all else relative thereto, and for the purchase of railroads and other property within the purpose of the corporation Except as provided in Part 1 of Division 1, the amount of bonds, or promissory notes, issued for such purposes shall not exceed in all the amount of its capital stock. To secure the payment of such bonds or notes a railroad corporation may mortgage its corporate property and franchises, or may secure the payments of such bonds or notes by deed of trust of its corporate property and franchises] Any person or any corporation formed under the laws of this State or of any other state within the United States that the directors of [the] *a* railroad corporation may by unanimous concurrence select, may be trustees in [such deed of trust] *any deed of trust securing bonds, debentures, notes, and evidences of indebtedness issued by such railroad corporation.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2985—An act to repeal Section 479 of the Civil Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 479 of the Civil Code is amended to read.

479. A check must be affixed to every package or parcel of baggage when taken for transportation by any agent or employee of such railroad corporation, and a duplicate thereof given to the passenger or person delivering the same in his behalf; and if such check is refused on demand, the railroad corporation must pay to such passenger the sum of twenty dollars, to be recovered in an action for damages [; and no fare or toll must be collected or received from such passenger, and if such passenger has paid his fare, the same must be returned by the conductor in charge of the train; and on producing the check, if his baggage is not delivered to him by the agent or employee of the railroad corporation, he may recover the value thereof from the corporation].

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2992—An act to repeal Section 456 of the Civil Code, relating to the borrowing of money by railroad corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 456 of the Civil Code is amended to read:

456. [Railroad corporations may borrow, on the credit of the corporation and under such regulations and restrictions as the board of directors thereof, by unanimous concurrence, may impose, such sums of money as may be necessary for constructing and completing their railroad, with its equipments, and for the purchase of all necessary rolling stock and all else relative thereto, and may issue promissory notes therefor, or may issue and dispose of bonds to raise moneys necessary to pay therefor, at a rate of interest not exceeding 10 percent per annum; and may also issue bonds, or promissory notes, at the same rate of interest in payment of any debts or contracts for constructing and completing their road, with its equipments and rolling stock, and all

else relative thereto, and for the purchase of railroads and other property within the purpose of the of the corporation The amount of bonds, or promissory notes, issued for such purposes must not exceed in all the amount of their capital stock, and to secure the payment of such bonds, or notes, they may mortgage their corporate property and franchises, or may secure the payments of such bonds, or notes, by deed of trust of their corporate property and franchises.] Any person or any corporation formed under the laws of this State or of any other state within the United States that the directors of [the] *a* railroad corporation may by unanimous concurrence select, may be trustees in [such deed of trust] *any deed of trust securing bonds, debentures, notes, and evidences of indebtedness issued by such railroad corporation.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 90—An act to add Section 17503 to the Business and Professions Code, relating to false or misleading advertisements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "17503 to the Business and Professions Code, relating to false or misleading advertisements", and insert "9912 to the Government Code, relating to the advocation of legislation by certain state officers and employees".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1 Section 9912 is added to the Government Code, to read:

9912. No officer, employee, or attache of any state department, agency, bureau, board, or commission, or any person acting in behalf of such officer, employee, or attache, shall in any manner advocate the passage or defeat of legislation by the Legislature. This section shall not prevent such officers, employees, or attaches from advising the Legislature through duly established committees thereof, of the effect of any pending legislation, nor prevent such officers, employees, or attaches from making reports to the Legislature or preparing legislation upon the request of committees or individual Members of the Legislature. No such officer, employee, or attache shall testify at any committee hearing except upon the request of the chairman of the committee."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Rules.

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "_____ dollars ($_____)", and insert "nine hundred twenty-five dollars ($925)".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, strike out "_____ dollars ($_____)", and insert "five hundred fifty dollars ($550)".

Amendment No. 3

On page 1, line 19, of said bill, strike out "_____ dollars ($_____)", and insert "four hundred ninety-five dolars ($495)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "_____ dollars ($_____)", and insert "seven thousand two hundred sixty dollars ($7,260)".

Amendment No. 2

On page 1, line 13, of said bill, strike out "_____ dollars ($_____)", and insert "five thousand eight hundred twenty dollars ($5,820)".

Amendment No. 3

On page 1, line 15, of said bill, strike out "_____ dollars ($_____)", and insert "five thousand two hundred eighty dollars ($5,280)".

Amendment No. 4

On page 1, line 17, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand six hundred twenty dollars ($4,620)".

Amendment No. 5

On page 1, line 19, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand two hundred ninety dollars ($4,290)".

Amendment No. 6

On page 1, line 22, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 7

On page 1, line 24, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand seven hundred eighty-four dollars ($2,784)".

Amendment No. 8

On page 2, line 2, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand nine hundred dollars ($3,900)".

Amendment No. 9

On page 2, line 4, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "_____ dollars ($_____)", and insert "four thousand nine hundred forty-four dollars ($4,944)".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand four hundred forty dollars ($4,440)".

Amendment No. 3

On page 1, line 15, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand four hundred forty dollars ($4,440)"

Amendment No. 4

On page 1 of said bill, strike out lines 16 and 17, and insert "28 senior judicial secretaries, each at a salary of four thousand two hundred ninety dollars ($4,290)".

Amendment No. 5

On page 1, line 19, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 6

On page 1, lines 21 and 22, of said bill, strike out "_____ ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 7

On page 1, line 24, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand seven hundred forty dollars ($4,740)".

Amendment No. 8

On page 2, line 1, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand five hundred thirty-two dollars ($2,532)".

Amendment No. 9

On page 2, lines 3 and 4, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand seventy-two dollars ($3,072)".

Amendment No. 10

On page 2, lines 6 and 7, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand two hundred dollars ($4,200)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1029—An act to amend Section 3024 of the Penal Code, relating to term of imprisonment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3024", and insert "3024.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 3024.5 of the Penal Code is amended to read:

3024.5. When any person received on or after January 1, 1948, at a prison or institution under the jurisdiction of the Director of Corrections, is serving a sentence

in which the legal minimum is five years or more [and has been granted a parole], the Adult Authority may refix his term to discharge such prisoner at any time after he has served two-thirds of such minimum term whenever the authority determines that such person has made a satisfactory adjustment and rehabilitation [on parole]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1653—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 19 to 25, inclusive, and insert "198. The method provided in this chapter for giving constructive notice of a chattel mortgage on a vehicle registered hereunder is exclusive, the execution of such chattel mortgage need not be acknowledged or proved and certified, and any such chattel mortgage is excepted from the provisions of Sections 2957, 2959a, 2965 and 2966 of the Civil Code."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 134—An act to add Section 16271.1 to the Education Code, relating to the use of school busses.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Hansen, Kelly, Hollibaugh, and Gubser demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 134.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Mr. Speaker—60.

NOES—Conrad, Doyle, Geddes, Hinckley, Levering, Lipscomb, Silliman, Smith, Tomlinson, and Waters—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1705—An act to amend Sections 2802, 2462, 3591, and 3661 of the Education Code, relating to the formation of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66

NOES—Elliott—1.

Motion to Amend Title

Mr. Moss moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 2, 1951, strike out "2462", and insert "3462".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 1726—An act to add Sections 13560 and 13085 1 to the Education Code, relating to certificated employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle Dunn, Erwin, Evans, Fleury Gaffney, Geddes, Grant, Grunsky, Gubser Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.40 a m. Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2930—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 665—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—60.

NOES—Beck, Hinckley, and Lowrey—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 636

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 636, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 636

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1093, 1646, 1649, AND 1650 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bills Nos 1093, 1646, 1649, and 1650 be passed on file, and hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2120 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Bill No. 2120 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2506—An act to amend Section 29191 of the Government Code, relating to district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2903—An act to amend Sections 2617, 2619, and 2704 of, and to add Section 2705.5 to, the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1568 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 1568 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Civil Service and State Personnel.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 104—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to the benefit rights of trainees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3290—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman Smith, Stanley, Thomas, and Tomlinson—70.

NOES—None

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.04 a m., Mr. Dolwig asked for, and was granted, unanimous consent that Mr. Connolly be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 99—An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Caldecott, Clarke, Sam L Collins, Grant, Grunsky, Gubser, Hagen, Hansen, Rosenthal, Silliman, Smith, and Waters—14

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2810—An act to repeal Section 12024 4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2136—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—54

NOES—Beck, George D. Collins, Condon, Dills, Elliott, Fleury, Hahn, Hawkins, Henderson, McFall, Parker, and Porter—12.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 736, on motion of Mr. Tomlinson.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 867—An act to add Section 15427 to the Revenue and Taxation Code, relating to the specific exemption allowable under the Gift Tax Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 292

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 292, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 292

Assembly Bill No. 292—An act to add Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 420, on motion of Mr. Silliman.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dunn asked for, and was granted, unanimous consent that the Committee on Education be permitted to use the Assembly Chamber tonight, at 8 p m., for the purpose of holding a meeting

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Erwin asked for, and was granted, unanimous consent that the Committee on Fish and Game be permitted to use the Assembly Chamber on Tuesday, April 10th, at 8 p.m., for the purpose of holding a meeting

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 99

At 11.45 a.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 99 passed by the following vote:

AYES—Belotti, Berry, Brady, Chapel, Cloyed, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Porter, Sherwin, Stanley, Stewart, and Thomas—41

NOES—Beck, Burke, Burkhalter, Coats, Collier, George D. Collins, Conrad, Erwin, Geddes, Grant, Grunsky, Hahn, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, McFall, McGee, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Smith, and Tomlinson—27.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Sherwin asked for, and was granted, unanimous consent that the Senate Committee on Finance and the Assembly Committee on Ways and Means be permitted to use the Assembly Chamber tomorrow afternoon, at 3 p.m., for the purpose of holding a joint meeting.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 543 re-referred to the Committee on Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 148

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 496
Assembly Bill No. 926

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 925
Assembly Bill No. 3123

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 138
Assembly Bill No. 147
Assembly Bill No 165
Assembly Bill No. 2889
Assembly Bill No. 1924

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislature Procedure has examined:

Assembly Bill No. 66
Assembly Bill No. 74
Assembly Bill No. 423
Assembly Bill No. 618
Assembly Bill No. 635
Assembly Bill No. 663
Assembly Bill No 707
Assembly Bill No 837
Assembly Bill No. 868
Assembly Bill No. 901
Assembly Bill No. 904
Assembly Bill No. 905
Assembly Bill No. 1192
Assembly Bill No. 1828
Assembly Bill No. 1906

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1792

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 25—Relative to memorializing Congress to enact H. R 3110

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Conservation, Planning, and Public Works, in Room 426.
Governmental Efficiency and Economy, in Room 435.

At 8 p.m.—

Constitutional Amendments, in Room 435.
Municipal and County Government, in Room 426.
Education, in Assembly Chamber.

It was announced that the following committee would hold no meeting today:

Manufacturing, Oil, and Mining Industry.

Next Thursday, April 5th, at 3 p.m —

Joint meeting of Senate Finance and Assembly Ways and Means Committees, in Assembly Chamber.

Next Tuesday, April 10th, at 8 p.m.—

Fish and Game, in Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF ASSEMBLY MEMBERS TO JOINT LEGISLATIVE COMMITTEE ON OLD AGE ASSISTANCE INITIATIVE BE PRINTED IN JOURNAL

Mrs. Niehouse asked for, and was granted, unanimous consent that the Report of the Assembly Members of the Joint Legislative Committee on the Old Age Assistance Initiative Measure be ordered printed in the Journal, in 10 point type, as follows:

REPORT OF THE ASSEMBLY MEMBERS APPOINTED BY SPEAKER SAM COLLINS TO THE JOINT LEGISLATIVE COMMITTEE ON OLD AGE ASSISTANCE INITIATIVE

Pursuant to Senate Concurrent Resolution No. 2, on January 11, 1951, Speaker Sam L. Collins appointed a seven member committee to meet with a seven member Senate committee, to be known as Joint Legislative Committee on Old Age Assistance Initiative, to study the old age assistance initiative presented by initiative to the Legislature.

Kathryn T. Niehouse was elected Chairman of the Joint Committee, and was also elected Chairman of the Assembly Members of the Joint Legislative Committee on Old Age Assistance Initiative.

The joint committee invited organizations and individuals who had requested hearings to appear before the committee. It gave full hearings to all witnesses who wished to be heard.

After the organization meeting, additional hearings were held on January 18th in the Assembly Chamber, where a two hour presentation was made by George McLain, John C. Henderson, and Frank Gardner of the California Institute of Social Welfare. Others heard were Larry Chandler of the State and Local Government Department of Los Angeles Chamber of Commerce, William R McDougall of the County Supervisors Association of California.

On January 19th, in committee room, those being heard were: State Department of Social Welfare; State Legislative Auditor; Department of Finance, and the California Institute of Social Welfare.

The sponsors, California Institute of Social Welfare, testified that the cost of the initiative would be approximately 55 million dollars, of which $25,060,935 would be the amount the State would assume from the counties present tax load. The Legislative Auditor testified that his estimate of the cost of the initiative would be slightly in excess of 100 million dollars, approximately $19,000,000 the State would assume from the counties present tax load.

Because the initiative measure required action by the Legislature within 40 days, and because there was ambiguity in the Legislative Counsel's opinion defining the 40-legislative day period, the Assembly adopted House Resolution No. 51 on January 23, 1951 This stated: "that the Assembly hereby asserts and claims the right to act on any initiative measure presented to it during the full period of 40 days while the Legislature is in actual session after the receipt by it of such measure, excluding from such 40-day period the days of the mandatory constitutional recess."

Pursuant to House Resolution No. 51, the Assembly members of the Joint Legislative Committee on Old Age Assistance Initiative held meetings and heard additional testimony following the constitutional recess.

Before the constitutional recess in January, 1951, the Senate committee met and reported back to the Senate, "that the initiative measure, old age assistance initiative must be adopted or rejected in January," although the Assembly had adopted the 40-legislative day period.

Inasmuch as the Senate has refused to enact into law the old age assistance initiative prior to the completion of the joint committee hearings, the Assembly committee finds itself constrained to take no further action. The Assembly members of the Joint Legislative Committee being unable to agree on the estimates and other testimony presented at the hearings, are not in agreement on recommendation to the Assembly concerning action on the initiative.

KATHRYN T. NIEHOUSE, Chairman
GORDON R. HAHN
VERNON KILPATRICK
JOHN B COOKE
ROBERT C. KIRKWOOD
EDWARD E. ELLIOTT
FRANK LANTERMAN

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Warren W. Butler of Compton.

On request of the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Chief of Police William Parker of Los Angeles.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Pete Hegy, Mrs. Viola Snyder, Virgil Allread, Clarence V. Hart, teachers; and the following pupils of the Fair Oaks School: Meredith Campbell, George Woodmansee, Louise Frei, Gary Burdick, Robert Sims, Scott Knapp, Harry Harper, Fred Hegy, Jean Friedman, Ronald Fiedler, Vernon Harris, Patsy Corothers, Pat Snyder, Jack Ezell, John Fryer, Richard Greathouse, Beckman Green, George Jones, Richard Kirchberger, Scott McCormick, Raymond St Jacques, Robert Robinson, Bill Sturch, Ronald Thompson, and Warner Whiting.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Teale and Ronald E. Notley, teachers of the Bret Harte School of Hayward, and the following pupils: Clifford Adams, Paul Atkins, Gordon Coulter, Richard Kester, Monte Lowe, Jack Mayberry, Lewis Meyer, John Nobriga, Donald Rubiolo, Doyle Rushing, Paul Selvidge, Carl Soto, William Miranda, Joanne Atkins, Pat Bortell, Beverly Brieto, Jackie Burges, Shirley Chiulos, Karen Crockett, Mary Florez, Carole Hearshman, Lillian James, Barbara Odegaard, Jeanette Moirao, Betty Muniz, Mary Ann Pantages, Betty Lou Valente, Patricia Wells, Janet Kell, and Janet Craig.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Francis C. Darby and Arthur Eddy of San Diego.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hartwig, teacher, and the following pupils of the Sylvan School: Leland Alexander, James Auld, Frances Barcellos, Dolores Bedow, Shirley Boucher, Bill Carrico, Gary Clausen, Gladys Conley, Gloria Dallas, Joe Frey, Mary Gammelgard, Fred Givins, James Hicks, Janet Horner, Daniel Juarros, Thelma Kintzley, Alan Leineke, Carol Mason, Jim McClure, Leslie McCray, Donald Meagher, Jerry Nichols, Alan Osgood, JoAnn Poquet, Barry Ross, Loriene St. Hilaire, David Stoddard, Johnie Stone, Jean Sullivan, Jim Thompson, Bill Vergonet, Haskell Vest, Luella Visker, Nelda Volkert, Annette Wilson, and Geraldine Woodbridge.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Nona Thacker, teacher, and the following pupils of the Sylvan School: Albert Alpaugh, Wilma Arcuri, Willa Astill, Marilyn Ballard, James Barnes, Douglas Barstad, Barbara Bell, Lorraine Bell, Clarine Bolin, Alice Bonney, Gerald Burford, Ronnie Call, Wayne Cardell, Harold Chase, James Corbett, Mae Cuillard, Dianne Finney, Barbara Ford, Ronald Ford, Paul Ford, Duane Fowler, Carolyn Goodwin, Helen Galarneau, Jack Garino, Catherine Hart, Eugene Leedy, Billy Lutz, Betty McAfee, Rosemary

McDonald, Paul McNeely, Bob McPherson, Betty Miller, Billy Parker, Bob Peet, JoAnn Putnam, Mary K. Smith, and Agnes Stagl

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to C. E. Mallachowitz of Bakersfield and Ed Spacke of Tehachapi.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paul Vaughn, Glen Ritchey, Mr. and Mrs. Carl Lindgren, Mrs Ann Hedgpeth, Herman Hedgpeth, Ray Lindgren, and E. D. Field, of Keyes, and the following pupils of the Keyes Union School: Robert Bacon, Shirley Beaty, Shirley Baughman, Charles Beckett, Dexter Bledsoe, Frances Brooks, Bill Buck, Joan Caudle, Margie Crabtree Remona Crow, Joan Cunningham, Douglas Doss, Joanne Drum, LeVonne Drum, Jim Dunnagan, Emma Lasater, Carl Linam, Tim Lindgren, Mary McCombs, Carl McGuire, Johnny McGuire, Jim Morris, Wayne Moss, Gene Neil, Elaine Noack, Gerald Oberkamper, Glenn Ritchey, Clifford Sanders, Oliver Shelton, Roy Smiley, Robert Smithcamp, JoAnne Stout, Doris Stout, Pete Taylor, Howard Templeton, Gloria Yonan, Colleen Foote, Bobby Foulks, Joy Green, Barbara Hall, Carl Hogland, Darlene Horton, Odell Hudson, David Jones, and Alton Lasater

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Burnett, teacher, and the following pupils of the Yuba City High School: Kay Barkley, Margie Buckley, Jack Bracewell, Derrell Brown, Douglas Bishop, Myrna Dempsey, Virginia Easley, Faye Eastman, Rodger Eliason, Joan Fields, Carl Fox, Beverly Gardner, Jim Glugoshi, Ramona Harris, Bruce Harter, Del Heffley, Charline Herndon, Norma Howard, Mildred Hurdle, Glenys Jones, Della Gomes, Nelda Kennedy, Arlo Kiebert, Rosalie Dramer, John Littlejohn, Pat Lynn, Virginia May, Doris Milligan, Betty Gargis, Dean Glentzer, Bill McCrady, Byron Newell, Shirlie O'Brien, Bill Otto, Lila Payne, Leo Peters, Don Popovitch, Jerry Poulsen, Joan Sizelove, Don Story, Donna Sutter, Beverly Thomas, Viola Thomas, Phyllis Taylor, Mary Trigueriro, Bill Spratt, Ronnie Trigueriro, Anne Van Antwerp, Pat Walsh, Fred Wainer, Nadine Watson, Evelyn Ware, Ronald Yeates, George Zeleny, Doug Weaver, Joyce Kanada, Christine Roper, Pat Rucker, Helen Samply, Shirley Sams, and Lillian Sandow.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Tom Gore and John Gurney of Riverside.

On request of Mr Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Travis Stinson, teacher, and the following pupils of the Romero School: Bobby Bizzini, Joseph Cotta, Joseph Ferriea, Cecil Lee, Herman Menezes, Eugene Terry, Nelda Beach, Delores Ferriea, Mary Pacheco, Delores Alves, Johnny Lopes, Rosalie Cotta, Carol Souza, Richard Menezes, Edward Terry, Lloyd Vierria, Laura Cardoza, Rita Menezes, Leslie Gomes, Jimmy Lee, Jackie Mendoza, Allen Tipton, Barbara Azevedo, Sandra Carrigg, Carmen Souza, Virginia Menezes, Arlete Enes, and Joyce Stovall.

On request of Messrs. Morris and Levering, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs Frank Dyer of Santa Monica.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Frank Walkup, Lawrence Lamb, and Courtenay Monsen of Pasadena.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Poletti, teacher, and the following pupils of the Ripon High School: Albert Vasch, Garwood Meyers, Bob Toombs, Victor Burton, Donn Peterson, Douglas Boone, Jim Green, Ruth Sanford, Sadie MacWilliams, John Demichek, Tom Farschon, Dwight Nyquist, Bill Shirley, Joe Nigro, Joe Bodeson, Jr., Bill Jackson, Joe Sanchez, Mary Furtado, Josephine Esteves, Darlene Long, Patsy McClinton, Delores Silva, Marleta Allison, Eleanor Tyler, Wanda Whitmore, and Edna J. Vinclet.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to James Hester, and C. O. Blose, teachers; and the following pupils of the David E. Martin School of San Lorenzo: Dwight Bristow, Robert Cartwright, Charles Edwards, Raymond Galli, Richard Greager, Thomas Held, Glynn Ivey, Frank Marn, David Nichols, Robert Richardson, Donald Roberts, Gerald Sechler, Edward Smith, William Tidwell, James Tuite, Ronald Van Prooyen, Ronald Whiteman, Robert Zulkowski, Ronald Whitehead, Janice Grieme, Roberta Fash, Patsy George, Jeane Keyes, Eva Levien, Beverly Lewis, Carol McCausland, Patricia Miller, Phyliss Miller, Sheila Minor, Mildred Prettyman, Leanna Smith, Kay Spengler, Sharon Stewart, Barbara Tomilson, Hartensia Trejo, Carolyn Tursick, Jean Whitesell, Sunny Williams, and Loretta Wilson.

ADJOURNMENT

At 11.47 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, April 5, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk